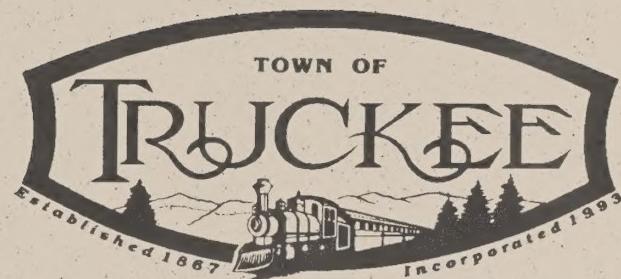


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## ***GENERAL PLAN***

***1995 - 2014***

**VOLUME IV:**

### **Final Environmental Impact Report**

Adopted February 15, 1996  
by Town Council Resolution No. 96-08

Town of Truckee  
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# TRUCKEE GENERAL PLAN

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# TRUCKEE GENERAL PLAN

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## INTRODUCTION

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a general plan be addressed and mitigated where feasible. CEQA Section 15166(a) allows a general plan to serve as the Environmental Impact Report on the plan if the following requirements are met:

- (a) The requirements for preparing an EIR on a local general plan, element, or amendment thereof will be satisfied by using the general plan, or element document, as the EIR and no separate EIR will be required, if:
  - (1) The general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines, and
  - (2) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.

This document constitutes the "special section" required in subsection (2). Table I identifies where each of the requirements of CEQA have been addressed in the Truckee General Plan.

The Technical Appendix (Volume II) contains the environmental analysis performed for the General Plan. The General Plan policies identify mitigation measures as policies of the General Plan.

## ENVIRONMENTAL ANALYSIS

### SCOPE OF THIS GENERAL PLAN ENVIRONMENTAL ANALYSIS

The scope of analysis for the general plan and alternatives is very broad in nature. The analysis is intended to identify the need for general plan policy direction in areas of potential environmental impact. Future projects such as the Zoning Ordinance, Specific Plans, and individual development applications will undergo a level of environmental analysis appropriate to the scope of the project. This general plan environmental analysis is not intended function as project specific analysis for development applications which are currently proposed or which may be proposed in the future. It is intended to provide policy direction to guide the preparation of future environmental documents. The information on cumulative impacts contained in this analysis may be used in subsequent environmental documents.

### PROJECT DESCRIPTION

For a brief description of the project objectives, please see the Introduction to the General Plan. The Plan elements themselves in this document constitute the project description. Table A.1 in Volume I presents information on buildup of the General Plan. If all of the land designated in this Plan were to be developed as identified on the Land Use Diagram at the densities and intensities described in the Land Use Element, the amount of housing, population, and

# TRUCKEE GENERAL PLAN

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employees in the future would be as shown on Table A.1 in Volume I.

## ENVIRONMENTAL SETTING

A description of the existing environmental setting is found in the Technical Appendix (Volume II).

## SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Analysis was performed as a part of the development of this General Plan. As potential environmental impacts were identified, policies were formulated for inclusion in the General Plan to mitigate the potential impact. Table I identifies the impacts and which of the policies of the General Plan mitigate for those types of impacts.

Two significant unavoidable impacts were identified in the areas of traffic and air quality. It was determined that these impacts could not be mitigated to a less than significant level with implementation of general plan policies, primarily because of existing traffic and air quality conditions.

Impacts in other categories will be reduced to less than significant levels with implementation of general plan policies. Project specific impacts will be evaluated and mitigated as a requirement of development application processing.

The following summary identifies the main

impact categories and the types of policies that were developed to address these impacts. The General Plan Impacts and Mitigation Table I provides additional detail.

## LAND USE IMPACTS

Land use incompatibility occurs when activities related to one land use negatively affect a different nearby land use. Such incompatibility may result from noise, odors, public access, traffic patterns, and lighting. With the buildup of the General plan an increase in industrial, commercial, and residential land uses will occur. Land uses that create potential compatibility problems include commercial, industrial, family support uses, schools, public facilities, timber harvesting, mining, and recreational uses in proximity to residential uses and sensitive wildlife habitat areas. Impacts related to land use compatibility are mitigated by Land Use Policies aimed at buffers, screening, and locations of compatible uses. Population growth accommodated by the Draft General Plan will result in impacts to all environmental categories described below.

## AFFORDABLE HOUSING

The projected population at General Plan buildup is 22,500. Currently the Town of Truckee has a shortage of affordable housing. The Housing Element addresses the existing and future needs for affordable housing. Mitigation for impacts on affordable housing are found in the policies of the Housing Element and in the Land Use Element.

# TRUCKEE GENERAL PLAN

## TRAFFIC IMPACTS

Traffic impact analysis for the General Plan is discussed in detail in the traffic reports in the Technical Appendix (Volume II). Policies to address traffic impacts are contained in the Circulation and Land Use Elements. Traffic impacts are not mitigated to a less than significant level due to the severity of the existing problems in specific areas.

## IMPACTS ON BIOLOGICAL RESOURCES

The Town and adjacent areas contain a number of sensitive biological resources. The introduction of urban land uses and conversion of undeveloped lands may contribute to the devastation of sensitive wildlife and plant habitats. Impacts on biological resources are addressed by policies of the Conservation Element and the Open Space Element. Measures that address these impacts include policies requiring or encouraging preservation of habitat areas and wildlife movement corridors in open space, policies requiring clustering of development, and designation of sensitive areas as Resource Conservation/Open Space on the Land Use Diagram.

## IMPACTS ON MINERAL RESOURCES

General Plan buildup may result in impacts to existing mining operations with the siting of incompatible land uses in the vicinity of mining operations. While eliminating mining in these areas would eliminate noise and

traffic concerns, these areas have significant mineral resources and should be protected as such. Impacts on mineral resources are addressed by policies of the Conservation Element and the Open Space Element. Measures that address these impacts include identification of resources on a diagram, policies requiring uses in resource areas be compatible with mineral resource extraction, and designation of resource areas as Resource Conservation/Open Space on the Land Use Diagram. Other policies lead to regulations to protect adjacent residential areas from dust, noise, and truck traffic while allowing for mineral resource extraction to continue.

## ENERGY

Additional development accommodated by the general plan will result in increased energy consumption (natural gas and electricity). The impacts on energy are addressed by policies of the Conservation Element. These policies require and encourage activities that conserve fuel energy through making it possible to use alternative energy, through recycling, and through reduction in the need for automobile trips.

# **TRUCKEE GENERAL PLAN**

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## **CULTURAL RESOURCES**

The Town of Truckee is one of the richest locations in California in terms of the density and variety of recorded cultural resources. Virtually all of the Town is considered moderately to extremely sensitive in terms of cultural resources. Recorded/designated resources within the Town include approximately 115 archeological sites, 160 historical sites, two National Register Properties, 6 properties eligible for National Register listing. Truckee also has one California Historical Landmark and one California Point of Historical Interest. Impacts on cultural resources are addressed by policies of the Conservation and Open Space Elements. Policies that provide mitigation include the requirement for a Cultural Resources Ordinance, and policies expressing the Town's intent to work with private and other public agencies to preserve cultural resources and increase public access to them where appropriate. Other policies address the need for evaluation and mitigation of impacts to cultural resources through project application review.

## **VISUAL AND AESTHETIC IMPACTS**

Visual resources are of great importance in Truckee; significant resources include prominent ridge lines, open vistas, streams, rivers, and lakes. Visual and aesthetic impacts are addressed by policies in the Land Use and Open Space / Conservation Elements. Mitigating policies include requirement for screening and landscaping, setbacks from prominent ridge lines, and policies requiring

the development of design standards for specific types of uses and specific areas. Other policies address light and glare.

## **AIR QUALITY IMPACTS**

Truckee is within the Mountain Counties Air Basin. The Northern Sierra Air Quality Management District is the local agency for air quality planning with authority over air pollutant sources.

Particulate matter (PM10) emission levels in Truckee, as measured at the Truckee air quality monitoring station, exceeded the state standard several times during winter months. This is generally attributed to residential wood-burning and vehicles raising dust along sand covered highways. Pollutants such as CO and NOx are generated by vehicular traffic. Existing levels of these pollutants are not in excess of Federal or State standards. Policies to reduce air quality impacts are contained in the Circulation Element and the Conservation Element. Impacts are not mitigated to a less than significant level for PM10 due to the severity of the existing problem. However, Conservation and Open Space Policy 11.2 requires 100% mitigation of particulate matter with discretionary project approval. Ozone is a photochemical oxidant formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. For the most part, ozone affecting Nevada County, including Truckee, is transported to the area by prevailing winds from Sacramento and the Bay Area. There is no ozone monitoring in

# **TRUCKEE GENERAL PLAN**

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Truckee. Ozone levels in Nevada City have exceeded State and Federal standards in previous years. Policies in these elements that mitigate for potential impacts related to both air pollution generated by traffic and that generated by dust or by woodburning stoves and fireplaces include traffic reduction measures, measures directly aimed at woodburning stoves and fireplaces, and measures expressing the Town's intent to work together with the AQMD to address air quality issues.

## **HAZARDS**

Additional development could place people and structures in areas subject to natural hazards that have the potential to create risks to life and property, and could expose humans to hazardous materials and hazardous waste problems. Mitigation for potential impacts related to hazards are the policies of the Safety Element and the Land Use Element, including requirements for clustering new residential development away from hazards. Other policies address provision of safety services and evacuation and access.

## **WATER QUALITY**

Additional development will potentially affect recharge of groundwater supplies due to an increase in impervious surfaces. An increase in urban storm water runoff may carry pollutants and degrade water quality. Impacts on water quality are addressed by the policies of the conservation element that require minimization of paving and programs to

control groundwater and surface water contamination from runoff.

## **PUBLIC SERVICES AND RECREATION**

Demand for public services will be significantly increased with the population and land development projects of the General Plan. Impacts related to public services are addressed in the Safety Element and in the Land Use Element. Policies in the Safety Element relate to provision of safety services. Policies in the Land Use Element require public services concurrent with development. Policies in the Open Space/Conservation Element address recreation services and opportunities.

## **NOISE IMPACTS**

Additional development will result in an increase in vehicular and stationary source noise levels. Other future sources of noise include overhead aircraft from the Truckee-Tahoe Airport, freight and passenger trains on the Southern Pacific rail line. Noise impacts are addressed by the goals and policies of the Noise Element. Types of noise addressed include construction noise, traffic noise, and noise from railroads and industry.

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**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b><u>1. POPULATION GROWTH and LAND USE IMPACTS</u></b></p> <p>1.1 Development accommodated by the General Plan will result in an increase in the population of the Town. This General Plan was formulated to accommodate projected growth in all land use categories to the year 2015. Projected growth for the year 2015 was based on detailed demographic and economic studies for Truckee, and reflects a best estimate as to future growth trends. Refer to Table 1.5 in Volume I for a comparison of existing development and future development accommodated by the General Plan. There is a possibility that actual future growth could fall below projections, and that the General Plan provides a supply of land far in excess of what demand may be. This overstatement of growth could result in adverse impacts in the areas of public services. Service providers could oversize facilities to accommodate projected population, and service/utility plans could overestimate costs for future growth. Conversely, future population could exceed that accommodated by the General Plan, resulting in problems with provision of services and infrastructure to accommodate the increase. In addition to potential impacts on public services and facilities, additional population growth will result in impacts in the areas of noise, air quality, biological/water resources, historic/cultural resources, land use compatibility, and growth inducement. These impacts are discussed under specific sections in this table. Since the draft General Plan was formulated with the goal of accommodating projected growth, it does not create a significant growth inducing impact. The Land Use map and associated policies direct growth to areas closer to the existing developed core of Town. Growth is minimized in the outlying areas of Town in areas adjacent to undeveloped land outside of the Town boundaries. In addition, the draft General Plan reduces growth potential from the Nevada County zoning which is currently in place.</p>	<p>1.1 The following sections of this table address the environmental impacts of growth accommodated by the General Plan. Monitoring of growth will be necessary to evaluate the effectiveness of the plan over the long term. The following policy establishes a reporting requirement for the General Plan:</p> <p>Land Use Policy 1.1, All policies under Land Use Goals 2, 3, 7 and 8.</p>	<p>1.1 An ongoing monitoring and reporting program will address potential impacts from over or under estimating future growth potential.</p> <p>Please refer to the following sections of this Table for a discussion of individual environmental impacts associated with growth.</p> <p>The impact from growth inducement is less than significant after mitigation.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p>1.2 The Draft General Plan could result in land use compatibility conflicts. Land use incompatibility occurs when the activities related to one land use negatively impact a different nearby land use. Such incompatibility may result from noise, odors, public access, traffic patterns, and lighting. Land Uses that create potential incompatibilities are commercial, industrial, schools, public facilities, recreational uses, timber harvesting, mining, etc., in close proximity to sensitive uses such as residential areas and wildlife habitat.</p>	<p>1.2 Potential conflicts for most of these uses will be addressed in the future development code through the establishment of site specific development standards. In addition, certain uses are regulated through the Special Use Permit process which is intended to address compatibility issues with adjacent development. Timber harvest activities are not regulated by the Town, however policies regarding development buffers adjacent to these lands are included in the General Plan.</p> <p>The following policies address land use compatibility issues:</p> <p>Land Use Policy 4.6; All policies under Land Use Goal 8; Conservation/Open Space Policies 2.1, 2.2., 3.3; Noise Policies 1.1, 1.3, 1.4, 2.1, 2.2, 3.1, 3.2, 3.3, 3.6.</p>	<p>1.2 Impacts from land use incompatibility are reduced to a less than significant level through implementation of General Plan policies.</p>
<p>1.3 Development accommodated by the General Plan will result in changes to existing development patterns. The most substantial changes will occur where there is a fundamental change in the existing development intensity or land use pattern, such as from very low density residential and open space to Planned Community and higher density residential. Changes to existing land use patterns can result in alteration of community character, and a number of environmental impacts in areas such as biological and visual resources.</p>	<p>1.3 The actual intensification and alteration of land use patterns is a fundamental impact of growth and can only be altered by changes to the land use map. The secondary impacts from intensification and alteration of land uses are addressed through a number of policies requiring clustering of development, open space preservation, and protection of visual and biological resources. Please refer to the</p>	<p>1.3 Please refer to referenced Sections.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
1.4 Additional commercial and industrial development could exacerbate the shortage of affordable housing in the area.	1.4 The following policies address provision of affordable housing: Housing Policies 1.2, 3.1, 5.1.	1.4 This impact will be less than significant after policy implementation.
1.5 Development accommodated by the General Plan could result in non-contiguous development patterns and urban/suburban sprawl. Non-contiguous development patterns occur where lands separated from urbanized areas are developed with higher intensity uses, creating islands of urbanized land outside of existing developed areas. Non-contiguous development patterns have the effect of encouraging urban/suburban sprawl. Sprawl is also created by allowing continuous strip commercial development along major transportation routes, or by allowing a large amount of suburban or estate-type subdivision to occur distant from the existing community core. Auto-oriented sprawling land use patterns result in traffic, air quality, and visual impacts and are not conducive to the development of compact, sustainable communities. There is the potential for strip commercial development patterns along Highway 267 south to and beyond the southerly Town boundary into the Placer County portion of Martis Valley. There is the potential for lands outside the Town limits to the east to be further subdivided into estate type parcels, resulting in the potential for residential sprawl.	1.5 The General Plan land use map reduces the potential for sprawling land use patterns by focussing new development close to the existing core of Town, and reducing development potential in the outlying areas. The following General Plan policies address this impact: Land Use Policies 2.1, 2.2, 2.3, 3.2, 3.4, 4.4, 7.2.	1.5 The potential for sprawling land use patterns is reduced to a less than significant level by implementation of the General Plan policies and land use map.
1.6 There is internal inconsistency between the Policies and the Land Use Map. Policies in the plan discourage future subdivision of estate type parcels outside of existing subdivided areas, and require clustering of all new development outside of existing significant vistas. The land use map designates a portion of land in the Martis Valley (north of I-80 and the existing CHP station) as RC-10. This land is not within an existing subdivided area. In addition, it may not be possible to locate future new development at the General Plan density outside of the significant Martis Valley Viewshed.	1.6 To avoid potential internal inconsistency of the General Plan, the land use designation has changed to RC/OS in the final General Plan, which is a designation which would implement the policies set forth in the General Plan to minimize residential sprawl, provide for growth closer to existing developed areas, and minimize development in significant viewsheds.	1.6 The potential inconsistency has been corrected through the recommended modification to the land use map.

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b>2. TRAFFIC AND CIRCULATION IMPACTS</b></p> <p>2.1 Growth accommodated by the General Plan will create additional traffic, resulting in and increase in Level of Service Deficiencies. A detailed analysis of the Traffic Impacts of the General Plan is contained in Volume II.</p>	<p>2.1 New growth will be required to mitigate traffic impacts. The following General Plan policies address this impact: Land Use Policies 3.5, Circulation Policies 1.2, 1.6, 1.8, 1.9, 1.13, 1.19, 1.20, 8.2.</p>	<p>2.1 Because of the existing LOS deficiencies during peak hours at the main intersections in Town, this impact cannot be mitigated to a less than significant level.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b><u>3. NATURAL, SCENIC, AND CULTURAL RESOURCES</u></b></p> <p>3.1 Sensitive Biological Resources could be disturbed or eliminated as a result of new development accommodated by the General Plan. In summary, impacts to wildlife and plant species could occur in the following areas: loss of habitat and forage lands, habitat degradation due to encroaching urbanization, direct mortality and/or injury of sensitive species, habitat fragmentation and obstruction of movement corridors, and harassment of wildlife by humans, pets, and livestock.</p> <p>3.2 Scenic Resources could be degraded by new development accommodated by the General Plan. The General Plan identifies significant scenic vistas and prominent slope exposures and ridge lines on plate 5. In addition to these mapped scenic resources, the existing scenic character of Truckee is defined by visual access to large expanses of undeveloped open space, both within and outside of the Town limits. As development occurs on these undeveloped areas, the scenic character of Truckee could be dramatically changed. Additional lighting can result in increases in light and glare pollution.</p> <p>3.3 Cultural and Historic Resources could be destroyed or degraded by new development accommodated by the General Plan.</p>	<p>3.1 The following General Plan policies address impacts to Natural Resources: All policies under Conservation and Open Space Goal 1, Conservation and Open Space Policy 2.3, Land Use Policies 7.1, 7.2</p> <p>3.2 The following General Plan policies address impacts to Scenic Resources: All policies under conservation and open space goals 4 and 5; Land Use policies 6.1, 7.1, 7.2.</p> <p>3.3 The following General Plan policies address impacts to cultural resources. All policies under Conservation and Open Space Goal 9.</p>	<p>3.1 Impacts to sensitive biological resources will be mitigated to a less than significant level by implementation of the General Plan policies.</p> <p>3.2 Impacts to scenic resources will be mitigated to a less than significant level through implementation of General Plan policies.</p> <p>3.3 Impacts to cultural resources will be mitigated to a less than significant level through implementation of General Plan policies.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b>4. IMPACTS FROM EXPOSURE TO HAZARDS</b></p> <p>4.1 New Development accommodated by the General Plan could expose people to natural hazards such as avalanches, wildfire, flooding, and erosion.</p> <p>4.2 New development accommodated by the General Plan could expose people to man-made hazards such as airport hazards and toxic spills.</p>	<p>4.1 The following General Plan policies address natural hazards:</p> <p>All policies under Safety goal 1, and Safety policies 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, and 2.9.</p> <p>4.2 The following General Plan policies address man-made hazards:</p> <p>Safety Policies 2.1 and 2.2</p>	<p>4.1 / 4.2 Impacts from exposure to natural and man-made hazards will be mitigated to a less than significant level through implementation of General Plan policies.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b>5. IMPACTS TO AIR AND WATER RESOURCES</b></p> <p>5.1 New development will result in an increase in air pollutants, including the following: generation of air pollution from vehicular traffic; generation of particulate matter from wood burning stoves, fires, road sanding, and travel on unpaved roads, and construction activities; generation of odors from industrial uses.</p> <p>5.2 New development will result in an increase in surface and ground water pollution, including the following: increase in pollutant laden urban storm water runoff, increase in new lots served by septic systems, increase in the potential for erosion and sedimentation of waterways, increase in the potential for toxic spills.</p> <p>5.3 Soil and Mineral Resources could be adversely affected by additional growth. Additional development could result in an increase in soil erosion, and could remove mineral lands from production.</p>	<p>5.1 The following General Plan policies address impacts to air quality: All policies under Conservation and Open Space Goal 11, All policies under Circulation Goals 3 and 4.</p> <p>5.2 The following General Plan policies address impacts to water quality: All policies under Conservation and Open Space Goal 6 and 7; Safety policies 2.1 and 2.10; Land Use Policy 3.4.</p> <p>5.3 The following General Plan policies address impacts to soil and mineral resources: All policies under conservation and Open Space Goals 3 and 7.</p>	<p>5.1 Impacts to air quality from PM10 remain significant after mitigation due to the existing exceedance of Federal and State PM10 standards.</p> <p>5.2 Impacts to water quality are mitigated to a less than significant level with implementation of General Plan policies.</p>
<p><b>6. IMPACTS TO PUBLIC SERVICES AND ENERGY SUPPLIES</b></p> <p>6.1 Growth accommodated by the General Plan will result in increased demand for public services in the areas of schools, sewer service, water service, fire and police protection, parks, and energy supplies, and solid waste production.</p>	<p>6.1 The following General Plan policies address impacts to public services. Land Use policy 1.1, and all policies under Land Use Goal 3; Safety Policy 2.6, all policies under Conservation/Open Space Goal 10.</p>	<p>6.1 Impacts to public services are mitigated to a less than significant level with implementation of General Plan policies.</p>

**TABLE I**  
**GENERAL PLAN IMPACTS AND MITIGATION MATRIX**

Areas of Environmental Issues and Impact - The Truckee General Plan Technical Analysis in Volume II contains an evaluation of each of the following impact categories. This Table is a summary of information contained in that document.	Mitigating Goals and Policies	Level of Impact after Policy Implementation
<p><b>7. IMPACTS FROM INCREASE IN NOISE LEVELS</b></p> <p>7.1 Additional development accommodated by the General Plan will result in an increase in traffic noise, and an increase in stationary-source noise generators and ambient noise.</p>	<p>7.1 The following General Plan policies address impacts from an increase in noise levels:</p> <p>All policies under Noise goals 1 and 2.</p>	<p>7.1 Impacts from exposure to excessive noise levels are mitigated to a less than significant level with implementation of General Plan policies.</p>

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## *ALTERNATIVES TO THE DRAFT GENERAL PLAN*

CEQA requires that alternatives to the proposed project be evaluated in an EIR. For the purpose of this general plan analysis, the Draft Land Use Map and Guiding Policies were considered the proposed project. The environmental analysis was focused primarily on the proposed project. Two alternatives were evaluated in addition to the proposed project: A No Project Alternative, and a Low Growth Alternative.

The No Project alternative consists of buildout of existing residential parcels. No additional subdivisions or other “discretionary” development approvals would occur under the No Project Alternative. What this alternative provides is a baseline for analysis. In other words, it lets us know what environmental impacts will occur if we only allowed residences on existing residential lots, and do not approve any additional development applications.

The Low Growth alternative is a “scaled down” version of the Draft General Plan. Under this alternative the development potential of the Planned Communities (PC-1 and PC-2) would be reduced by  $\frac{1}{2}$ , and residential densities would be reduced on some lands in the eastern portion of Town by designating more areas in RC/OS. A comparison of the buildout potential of the different alternatives is contained in Volume I, Appendix Tables A.1, A.2 and A.3. The following is a discussion of the comparative impacts associated with each alternative. The full analysis of the alternatives is contained in

the Technical Analysis of the Draft General Plan Land Use Plan, which is included in Volume II.

### **COMPARATIVE IMPACTS ASSOCIATED WITH THE NO PROJECT ALTERNATIVE**

The magnitude of the environmental impacts in all categories would be reduced under this alternative due to the reduction in growth potential. Impacts from traffic circulation and air quality would remain significant and unmitigated under this alternative due to the existing LOS at major intersections in Town and due to the existing exceedances of PM 10 concentrations.

### **COMPARATIVE IMPACTS ASSOCIATED WITH THE REDUCED GROWTH ALTERNATIVE**

The reduced growth alternative will result in a slightly lower buildout population than the Draft General Plan. Commercial growth will be less under this alternative due to the reduction in commercial growth in the Planned Communities. Assuming that the same set of policies were applied to the reduced growth alternative that are in the Draft General Plan, environmental impacts under this alternative will be similar to or less than the Draft General Plan in all categories.

Overall development pressures on wildlife resources and scenic resources would be less under this alternative than under the draft general plan due to the lower densities accommodated in outlying areas of Town. Since traffic volumes would not be

# *TRUCKEE GENERAL PLAN*

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substantially reduced under this alternative, air quality and noise impacts will not be appreciably different from those of the draft general plan. The significant impacts identified for the draft general plan will occur under this alternative in the areas of traffic and air quality. One identified impact in the General Plan, impact 1.6 regarding potential internal inconsistency, would not occur under this alternative due to the RC/OS designation replacing the RC/10 designation on the subject property.

# TRUCKEE GENERAL PLAN

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## FINAL EIR RESPONSE TO COMMENTS

The Draft General Plan and Environmental Impact Report (EIR) were circulated for a 45-day State Clearinghouse review period, starting on September 9, 1995 and ending on October 20, 1995. During this time, the following comments were received from agencies, organizations and individuals. The responses are numbered to correspond to the numbering on the applicable comment letters. The policies and page numbers in parenthesis refer to the location of the referenced material in the Final Draft General Plan.

### Letter A: Placer County Office of Education

1. Comments noted. This letter addresses General Plan policies and does not raise any issues with the Environmental Impact Report.

### Letter B: California Regional Water Quality Control Board - Lahontan Region

1. Comment noted. This Comment provides general information and does not raise any issues with the Environmental Impact Report.
2. Circulation Policy 2.3 on page 33 of the Draft General Plan (page 64 of final draft) requires that roadway construction prevent significant impacts to biological, scenic, and historic resources. This policy will be amended to include prevention of significant impacts to water quality.

3. Timber harvest activities necessary for environmental studies and control of fire fuels are not typically within a Town's land use regulatory authority. This type of review is the responsibility of the California Department of Forestry.
4. The following language will be added to Safety Policy 2.8 on page 48 of the Draft General Plan (page 79 of final draft): Defensible space may include revegetation with less flammable species, such as fire resistant native and adapted species, and the use of mulch to prevent erosion on bare soil.
5. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
6. CEQA provides a Categorical exemption (Section 15303CEQA Guidelines) for apartments, duplexes, and similar structures with no more than four dwelling units. Housing Program 3.1.2 has been modified to be consistent with the CEQA guidelines regarding exemptions for multi-family units.
7. The Draft General Plan includes policies to address the impacts of new construction on water quality on page 42 (page 73 of final draft) under Conservation and Open Space Goal 6. Conservation/Open Space Policy 6.2 specifically addresses the Town's intent to implement BMP's

# TRUCKEE GENERAL PLAN

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established by Lahontan, as is requested in this comment.

## Letter C: Department of Fish and Game

1. Conservation and Open Space Policy 1.4 on page 40 (page 71 of final draft) requires that proposed development projects evaluate and mitigate their impacts on wildlife habitat and movement corridors. Conservation and Open Space policy 1.1 will be modified to include the following language: *Cooperate with the Department of Fish and Game in the preparation of a comprehensive plan for the management and protection of sensitive wildlife areas, including important wildlife movement corridors, within the Town.*
2. The Development Reserve (DR) designation has been removed from the General Plan. The subject area now has one land use designation: Open Space Recreation (OSR). The definition of the OSR Designation on page 9 (page 39 of final draft) has been amended to include protection of wildlife movement corridors as a listed purpose of this designation.
3. Any development proposal which included modifications to the Prosser Village interchange would have a potentially significant impact on the wildlife movement corridor, and would be subject to Conservation/Open Space policy 1.4,

which requires evaluation and mitigation of project specific impacts to sensitive wildlife habitat.

4. Please refer to response to comment #1.
5. Comment Noted. The text in the final General Plan will be modified accordingly.
6. Conservation and Open Space Policy 1.4 will be modified to include offsite habitat restoration as a mitigation option to the extent that no net loss of habitat values results.

## Letter D: Department of Conservation - Office of Governmental and Environmental Relations

1. Geologic Hazards in Truckee are discussed on page 2 of the May 19, 1994 Technical Memorandum on Major Constraints contained in Volume II of the Public Review Draft General Plan. Figure A has been added to the final version of Volume II which includes a fault map, and epicenter map, and a table of potential earthquake severity.
2. Safety Policy 2.1 on page 47 (page 79 of final draft) requires the Town to coordinate with other emergency response agencies to develop an Emergency Response Plan including measures to respond to earthquakes.

# TRUCKEE GENERAL PLAN

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The Sphere of Influence Map shown in Figure 1 on page 24 of the Draft General Plan, Volume I (page 55 of final draft), is not a geologic map. It depicts the proposed LAFCO Sphere of Influence for the Town.

2. Comment noted. The Notice of Preparation for the General Plan EIR was sent to the Division of Mines and Geology on September 19, 1994. No response to the NOP was received from the Division of Mines and Geology .

## Letter E: Caltrans

1. Comment Noted. The Development Code prepared pursuant to adoption of the General Plan will further define "freeway oriented commercial uses". Detailed definitions of specific types of land uses are more appropriate in the Development Code rather than in the General Plan.
2. Comment noted.
3. Yes, it is the Joerger property.
4. Comment noted. The Final General Plan designates the Joerger property as a "Planned Community" which requires a specific plan.
5. Comment noted.
6. Comment noted. See response to comment 4.

7. Inter-jurisdictional coordination between Placer County, Nevada County, Town of Truckee and Caltrans is necessary regarding regional land use and transportation planning. Circulation policy 1.21 on page 33 (Policy 1.20 on page 64 of final draft) addresses this issue.
8. Comment noted. Circulation Policy 1.6 on page 31 (page 62 of final draft) has been replaced with the following:

*Strive to establish and maintain a level of service D or better at weekday P.M. peak hour on arterial and collector road segments, and on primary through movements at intersections, in portions of the Town outside the downtown study area. Strive to establish and maintain a level of service E or better at weekday P.M. peak hour on local, collector, and arterial road segments and on primary through movements at intersections within the downtown study area.*
9. The traffic volumes used in the development and calibration of the Town of Truckee Transportation Forecasting Model were from 1992 *Traffic Volumes on California State Highways*, Caltrans 1993. This was the "best" available data at the time of the model calibration. Figure 2 and Table 1 have been revised to reflect the 1994 traffic data.
10. Comment noted. The figure has been

# TRUCKEE GENERAL PLAN

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- revised.
11. The traffic study and data were forwarded to Caltrans District 3. The transportation model files can be forwarded to Caltrans if Caltrans has the capability to run TModel2.
12. The weighted average method of calculating unsignalized intersection capacity was presented to show the comparison between that method and the method used in the 1985 *Highway Capacity Manual, Special Report 209*. The standard 1985 *Highway Capacity Manual, Special Report 209*, method of analysis was used for the remainder of the calculations in the report. It should be noted that the revised Highway Capacity Manual uses a weighted average method of analysis for unsignalized intersections.
13. The trip generation rates are not consistent with standard Institute of Transportation Engineers (ITE) rates. During the development of the Town of Truckee Transportation Forecast Model ITE trip generation rates were used in the initial stages of the model calibration. However, as the model was developed the rates were changed until the model could forecast traffic volumes for the existing conditions within acceptable tolerances when compared to actual summertime weekday p.m. peak hour traffic volumes. The discrepancy between the single family home p.m. peak hour trip rate in the model and the ITE rate can be attributed to the lower number of work related trips in vacation homes than in standard subdivisions.
14. The rates between a High School and Hotel/Motel are similar during the p.m. peak. Thus, they were grouped together.
15. Comment Noted. Table has been corrected.
16. Comment noted.
17. This is correct. State Route 89, north of Interstate 80, would need to be improved to a four or five-lane facility from Interstate 80 to Prosser Dam Road.
18. Comment note. One exception would be the Truckee Bypass (State Route 267).
19. The road widenings shown in Table 22 are presented to provide a comparison of the number of lanes needed to meet the projected traffic demands at general plan buildout at the level of service D. They are not intended to be mitigations or show if the improvements are feasible.
20. The table is intended to provide a comparison of the impacts or benefits of each of the land use and circulation alternatives studied. To provide an even comparison the intersection level of service analysis was completed using the existing lane configurations and

# TRUCKEE GENERAL PLAN

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traffic control.

## Letter F: William Abbott and Associates (October 4, 1995)

1. Comment noted. These comments address General Plan policies and do not raise any issues with the Environmental Impact Report.
2. This comment states general positions on the DEIR which do not allow for a specific response to the alleged deficiencies.
3. This comment raises three issues:
  - a) *A regional map showing the location of the project is not provided.*  
Response:  
A regional map has been included as figure 1 in the Final Volume I Document.
  - b) *A general description of the Project's technical and economic and environmental characteristics is not provided.*  
Response: The project description is summarized in Table 8.2 (Table A.1 in final draft) and on Plates 1-6 of the Volume I Draft General Plan. The Land Use element provides definitions of land use designations which are the primary component of the General Plan project description. Other components of the project description are contained in the goals and policy statements of the General Plan Volume I. The environmental

characteristics of the project description are described in Volume II in the Technical Memorandum on Major constraints, the Technical Noise Study, the Draft General Plan technical analysis, and the Town of Truckee Transportation Model. Volume III, the Economic and Demographic Analysis, provides a description of the existing economic and demographic setting.

- c) *A statement describing the intended uses of the EIR is not provided.*

Response: The intended uses of the EIR are contained on page 126 of Volume I under the heading "Scope of this General Plan Environmental Analysis" (page 1 in Volume IV of final draft).

4. The DEIR contains a description of the Town's existing air quality environment on page 10 of Volume II in the Technical Memorandum on Major constraints (May 19, 1994) (page 11 in Volume II of final draft), and on page 22 of the General Plan Technical Analysis (August 29, 1995) (page 21 in Volume II of final draft), which also includes an analysis of the effect of General Plan buildup on Carbon Monoxide (CO), Reactive Organic Gasses (ROG), Nitrogen Dioxide (Nox), and Particulate Matter (PM10). Significant air quality impacts are discussed under Item 5.1 in Table 8.1 in Volume I (Table I in Volume IV of final draft).

# TRUCKEE GENERAL PLAN

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5. This comment is correct in stating that applicable mitigations were not included for air quality impacts in the Impacts and Mitigation matrix Table 8.1. Table 8.1 (Table I in Volume IV of final draft) will be amended to add the following under Mitigating Goals and Policies for item 5.1: All policies under Circulation Goals 3 and 4.
6. The Summary of Impacts and Mitigation measures on page 127 of Volume I (page 3 in Volume IV of final draft) identifies air quality impacts as significant and unmitigable.
7. The Air Quality Discussion on page 129 of Volume I (page 5 in Volume IV of final draft) has been amended to include information regarding the Mountain Counties Air Basin and Ozone pollution.
8. This comment summarizes comments 4, 5, 6, and 7. Please see the responses to these comments. Mitigation measures for air quality impacts are contained in Volume I, Table 8.1 (Table I in Volume IV of final draft), item 5.1, and in Circulation Element policies under Goals 3 and 4. To address PM10 impacts which may occur in the interim prior to the Air Quality Management Plan, the following policy has been added to the General Plan (Conservation/Open Space Policy 11.2 on page 76 in Volume I of final draft):
- "Prior to the adoption of the Truckee Air Quality Management Plan, the Town shall require that discretionary development projects shall mitigate 100% of their impacts on PM10 levels. Such mitigation may include: prohibitions on wood burning stoves and fireplaces, purchase and/or replacement of non-EPA certified woodstoves within the Air Basin, prohibition on vegetation burning, dust control during construction, or other measures as appropriate."*
9. The potential physical deterioration of the Downtown Area which could result from the build-out of commercial uses in the General Plan is too speculative to analyze. No information has been provided to substantiate the claim that the downtown area could deteriorate, resulting in potentially significant environmental impacts. Information contained in Volume III: The Economic/Demographic Conditions and the Fiscal Impact Analysis of the Draft General Plan demonstrates that the population and economy of the Town will continue to grow and support substantial additional commercial development.
10. CEQA does not require that the Lead Agency conduct economic analyses on general plan policies which serve as mitigation measures.
11. Table 23 in the Traffic Analysis in Volume II of the General Plan shows

# TRUCKEE GENERAL PLAN

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- projected LOS at General Plan buildout for 20 major intersections in the Town. This table shows LOS for the following Conditions: Existing Condition, No Project Alternative, Low Growth Alternative, General Plan (project description), and four sub-alternatives of the General Plan scenario. These alternatives and sub-alternatives are described in detail on pages 67 and 68 of the Traffic Study in Volume II. Significant effects on traffic created by buildout of the Draft General plan are detailed in tables 22 and 23, and summarized on page 72 of the Traffic Study in Volume II. The circulation network alternatives are described on page 69 of the Traffic Study. Commentor is referred to these sections for information relevant to the comment.
12. At the General Plan stage, practicality prohibits devising precise project specific mitigation measures early in the planning process. Future development projects will be subject to project specific environmental analysis in order to formulate project specific mitigation measures.
13. Comment noted. The Town will make the required CEQA findings when the final General Plan is adopted.
14. The General Plan states on page 126 of Volume I (page 1 in Volume IV of final draft): "Future projects such as the zoning ordinance, Specific Plans, and individual development applications will undergo a level of environmental analysis appropriate to the scope of the project. This general plan environmental analysis is not intended to function as project specific analysis for development applications which are currently proposed or which may be proposed in the future."
- The final General Plan includes an implementation program in Volume I which provides additional specificity on the time frame and responsible agencies for each of the general plan policies.
15. One of the primary implementation tools for the General Plan is the Development Code (also referred to as the zoning ordinance). Land Use Policy 4.4 on page 20 (page 51 of final draft) states that standards to preclude new strip commercial development will be established by the Development Code. It is commonly accepted planning practice to establish specific development standards and definitions in the Development Code rather than the General Plan. In the interim period prior to adoption of the Development Code projects will be evaluated against Land Use policy 4.4 on case-by-case basis.
16. Comment noted. This comment

# TRUCKEE GENERAL PLAN

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provides general information and does not raise any specific points regarding the EIR.

17. By its very nature, the environmental analysis for the General Plan addresses cumulative impacts. The analyses were based on buildout conditions of the General Plan. The traffic, noise, and air quality analyses were based on traffic generated at buildout of the general plan in addition to a proportion of regional traffic generated from outside the Town of Truckee.
18. Comment noted. This comment provides general information and does not raise any specific points regarding the EIR.
19. The alternatives evaluated in the General Plan EIR are clearly described on page 130 of Volume I (page 13 in Volume IV of final draft) under "ALTERNATIVES TO THE DRAFT GENERAL PLAN". In addition, the alternatives are described in more detail in Tables 8.3 and 8.4 of Volume I (Table A.2 and A.3 in Volume I of final draft). Please see the response to comment 11 regarding the additional alternatives evaluated in the Traffic Study.
20. Impacts which occur under the Low Growth Alternative and the No Project alternative are summarized on Page 131 of Volume I (page 13 in Volume IV of final draft). In addition, the August 25, 1995 Technical Analysis contained in Volume II discusses the relative impacts of the alternatives in each of the environmental categories analyzed.
21. The General Plan could foster economic and population growth within the Town by planning to accommodate growth projected to occur as result of economic and market forces. Growth inducing impacts are discussed on Pages 4 and 5 of the August 25, 1995 Technical Analysis contained in Volume II, and in Table 8.1 under item 1.1 in Volume I (Table I in Volume IV of final draft).
22. The impacts of accommodating growth on existing community services and facilities are described on pages 29 through 31 of the August 25, 1995 Technical Analysis contained in Volume II (page 28 through 30 of final draft), and under items 1.1 and 6.1 of Table 8.1 in Volume I (Table I in Volume IV of final draft). Estimated population increases are contained in item 1.1 of Table 8.1 (Table I in Volume IV of final draft), and in Table 8.2 (Table A.1 in Volume I of final draft). Growth inducement was not identified in the Draft EIR as a significant unmitigatable impact. The Final EIR will clarify this issue by adding the following to Item 1.1 in Table 8.1 of Volume I (Table I in Volume IV of final draft):

# TRUCKEE GENERAL PLAN

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## *Add under areas of Environmental Impact:*

Since the Draft General Plan was formulated with the goal of accommodating projected growth, it does not create a significant growth inducing impact. The Land Use map and associated policies direct growth to areas closer to the existing developed core of Town. Growth is minimized in the outlying areas of Town in areas adjacent to undeveloped land outside of the Town boundaries. In addition, the draft General Plan reduces growth potential from the Nevada County zoning which is currently in place.

## *Add under Mitigating Goals and Policies:*

All policies under Land Use Goals 2, 3, 7, and 8.

## *Add under Level of Impact after Policy Implementation:*

The impact from Growth inducement is less than significant after mitigation.

23. Comment Noted.

## **Letter G: William Abbott and Associates (October 10, 1995)**

1. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the

Environmental Impact Report.

2. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
3. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
4. Comment noted.
5. Comment noted.

## **Letter H - William Abbott and Associates (October 12, 1994)**

1. There is no significant new information which has been added to the EIR which would necessitate recirculation of the document. Following is an explanation of the changes made to the Draft General Plan:

Non-residential square footage at buildout has decreased by 12,000 square feet. This is due to a decrease in the amount of commercial and industrial acreage, offset to some extent by additional development potential in the Downtown Study area and PC-2.

Residential units at buildout have increased by 230 units. This is primarily due to an increase in the

# TRUCKEE GENERAL PLAN

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potential number of dwelling units downtown, and in the amount of land changed from the open space to residential categories.

The traffic model was redone based on the Town Council's modifications to the draft General Plan. The results of this analysis are contained in the General Plan Traffic Analysis in Volume II of the final draft. To summarize, the rerun of the Traffic model showed:

a) changes in land use designations from commercial to residential along Deerfield Drive resulted in a decrease in projected traffic volumes on Deerfield Drive (1,300 vehicles per hour to 970 vehicles per hour) and Highway 89 South (1,770 vehicles per hour to 1,460 vehicles per hour).

b) modification of development assumed on PC-2 in the lodging category results in a decrease in projected traffic volumes on Highway 89 North (2,330 vehicles per hour to 2,070 vehicles per hour).

c) intensification of commercial and residential development in the Downtown Study Area results in an increase in traffic volumes on Commercial Row (1,290 vehicles per hour to 1,370 vehicles per hour), and on State Route 267 South of Commercial Row (2,940 vehicles per

hour to 2,980 vehicles per hour).

## Letter I - Bob Johnston

1. The mitigation measures for traffic impacts are identified in Table 8.1 in Volume I (Table I in Volume IV of final draft) under item 2.1. Mitigation measures for air quality impacts are identified under item 5.1 in Table 8.1 (Table I in Volume IV of final draft). The documentation for conclusions regarding the significance of impacts are contained in the Technical Analysis of the Draft Land Use Plan (August 29, 1995), contained in Volume II of the Draft General Plan, and in Chapter 8 of Volume I (Volume IV of final draft).
2. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
3. Comment noted. This Comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
4. The RC/OS Designation is not "permanent" because it is a land use designation which is subject to change through future General Plan updates. It is not possible to establish permanent open space through a General Plan. A general plan only establishes policies that lead to the eventual creation of

# TRUCKEE GENERAL PLAN

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- permanent open space through measures such as acquisition, conservation easements, etc., as is recognized by Conservation and Open Space Policy 4.6 on page 42 (page 73 of final draft).
5. Conservation and Open Space Policy 1.4 on page 40 (page 71 of final draft) requires that impacts to sensitive habitat be identified through the Development review process in all land use categories.
6. Noise impacts on the old mill site are generated primarily from the rail corridor, as is explained in the noise analysis contained in Volume II. The airport flight paths are regulated by the Federal Aviation Administration and are not subject to control by the Truckee-Tahoe Airport. In addition, airport flight paths are established based on a number of constraining factors such as prevailing winds and topography. Modifying these flight paths may not be feasible based on the highly constrained nature of the airport.
7. A proportion of regional traffic which is not generated from within the Town of Truckee is assumed in the traffic model. This share of regional traffic was assumed to increase above existing levels in the traffic for the buildup scenario. Assuming that the ratio of second homes would decrease over time is too speculative, since available data shows that the trend is towards an increased proportion of second homes in the area. The traffic model is based on full buildup of the Draft General plan. As such, it represents a "worst case" scenario of the traffic impacts which could occur, since it is highly unlikely that full buildup could ever be reached.
8. Comment Noted.
9. Conservation and Open Space Policy 11.1 on page 45 (page 76 of final draft) requires that the Town develop and Air Quality Management Plan for the control of PM10. The purpose of the Air Quality Management Plan is to identify the sources of the PM10 problem in Truckee, identify appropriate methods for reducing PM10 levels, and establish a regulatory program to implement controls on PM10 generators. Due to the detailed and technical nature of the PM10 problem, specific measures are more appropriately identified through the development of an Air Quality Plan rather than through the General Plan. Also see response to comment F8.
- Conservation and Open Space Policy 12.3 on page 46 (page 77 of final draft) requires that significant developments assess and mitigate short term and long term impacts to air quality. Project specific mitigation measures will be applied as required during review of individual

# TRUCKEE GENERAL PLAN

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- applications.
10. Land Use Policy 3.3 on page 19 (page 49 of final draft) requires that services be available concurrently with project approval. This policy applies to both residential and non-residential development.
- The comment regarding mitigation measure 2.1 is too general to respond to. It is not clear what components of the listed policies need elaboration and quantification.
- Circulation Policy 1.6 on page 31 (page 62 of final draft), which establishes the LOS D standard, applies to roadways and intersections. In order to prevent adverse impacts resulting from strict application of this standard (for example, widening an intersection to 32 lanes), the policy is modified as stated in the response to comment E-8.
3. Mitigation measures for traffic impacts are identified in Table 8.1 under item 2.1 in the Volume I General Plan (Table I in Volume IV of final draft).
4. Mitigation measures for air quality impacts are identified in Table 8.1 under item 5.1 in the Volume I General Plan (Table I in Volume IV of final draft). Additional mitigation for air quality impacts will occur with the addition of Conservation/Open Space Policy 11.2.
5. The impacts associated with the construction of the Highway 267 Bypass were addressed in previous environmental documentation prepared by Caltrans and referenced in the Bibliography on page 79 of Volume II of the Draft General Plan (page 4 of final draft). As stated on page 3 of the Volume I Draft General Plan, a basic assumption of the Plan was that the Highway 267 Bypass would be built within the time frame of the Plan.

## Letter J - Maryellen Benier

1. Comment noted. This comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.
2. Comment noted. This comment addresses General Plan policies and does not raise any issues with the Environmental Impact Report.

# *TRUCKEE GENERAL PLAN*

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## COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT



better A

# PLACER COUNTY OFFICE OF EDUCATION

360 Nevada Street, Auburn, CA 95603-3779 ... (916) 889-8020

JOHN REINKING, Placer County  
Superintendent of Schools

October 10, 1995

RECEIVED

OCT 12 1995

Mr. Tony Lashbrook  
Community Development Director  
Town of Truckee  
11570 Donner Pass Road  
Truckee, CA 96161

TOWN OF TRUCKEE  
COMMUNITY DEVELOPMENT DEPT.

Dear Mr. Lashbrook:

On behalf of the Tahoe Truckee Unified School District, I offer the following comments on the Town of Truckee's General Plan and Draft Environmental Impact Report.

1. Page 19 - Land Use Goal 3.1

A definition of special districts should be included into the plan which specifies the Tahoe Truckee Unified School District as a special district.

2. Page 19 - Land Use Policy 3.3

"Approved permits" should be expanded to include General Plan Amendments, rezones or subdivision maps.

3. Page 19 - Land Use Policy 3.6

Do "all facilities" in this policy include schools and other non-town public facilities?

4. Page 21 - Table 1.6 - Service Standards and Timing

Standards should show under schools.

"Sufficient school sites and facilities including permanent and temporary classrooms"

Timing - The timing should be shown as zoning, subdivision map and specific development use permit stage instead of just zoning.

## BOARD OF EDUCATION

MR. RICH COLWELL

MRS. CAROLE ANNE ONORATO

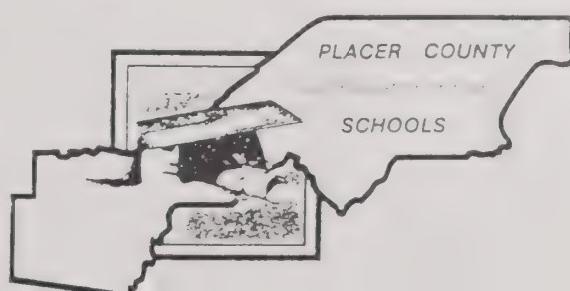
MR. NORMAN F. FRATIS, JR.

DR. KENNETH SAHL

MR. SCOTT GNILE

MR. FRED TUTTLE

MRS. PAMELA ULMER



Many times a large residential development already has zoning on their property without a school funding mechanism in place. A condition of approval on a subdivision map would then be necessary. The condition would require entering into a development fee agreement with the project.

5. Page 108 - Fees

The fees section shculd have a discussion of the district's financing program which was adopted in 1990. The details of this program are as follows:

- Collection of the State Developer Fee on all developed lots (currently \$1.72 per sq. ft.)
- Collection of an increased Developer Fee on all new lots created after August 1990. The fee was calculated at 50% of the actual cost of providing new facilities. This Developer Fee is implemented thrcugh a condition of approval by the City, Town or County in which the project was located. A Mutual Benefit Agreement would be signed by project developer prior to the District issuing a Will-Serve letter to the public agency apprcoving the project. The current fee in this agreement is \$2.83 per square foot. Prior to the town's incorporation, the District had Nevada County condition several projects to comply with this program.

6. Page 112 - Table 7.31

Please show the District's adopted \$2.83 per square foot fee for future development. This fee is currently being collected on projects within the Town of Truckee and on projects adjacent to the town in Placer County.

All existing lots in projects not conditioned to be in the District's financing program would pay \$1.72 per square foot.

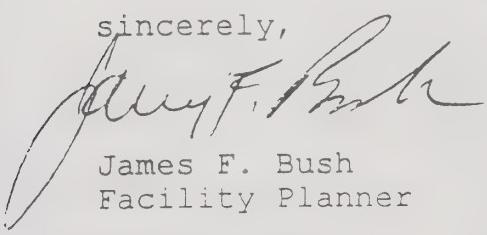
Attached is a fee comparison of school districts in Placer County which have school financing programs beyond the state \$1.72 level as shown. Please note that the Auburn School District shown is only a K-8 district and collects a portion of the \$1.72 per square foot on all existing parcels. The Mello Roos program listed is for future development since 1989. In addition, the Placer High School District collects

1 | Page 3

the remaining portion of the \$1.72. The Placer High School District's portion plus the Auburn Mello Roos totals \$8,093 per single family home.

Thank you for allowing the Truckee Unified School District to offer comments on the Town's Draft General Plan Policies.

sincerely,



James F. Bush  
Facility Planner

JFB:nt  
Enc.



## FEE PROGRAMS IN PLACER COUNTY

### NON UNIFIED DISTRICTS

K-8	Fee	9-12	Fee	Total
Eureka	4,874	Roseville High	3,392	8,266
Roseville City	4,354	Roseville High	3,145	7,499
Loomis	4,869	Placer HSD	1,340	6,209
Foresthill	6,405	"	1,340	7,745
Placer Hills	6,553	"	1,340	8,479
Auburn Union	6,365*	"	1,340	8,093

\*Auburn Union Mello-Roos Buy Out

### UNIFIED DISTRICTS

Rocklin Unified \$4,000 + 59¢ per sq. ft. = plus \$477 per year for 20 years	\$5,062 +\$477 per year tax
Western Placer Unified Mello-Roos Buy Out \$3.95 per sq. ft. (2,200 sq. ft. maximum fee)	\$8,602
Tahoe-Truckee Unified School District \$2.83 per sq. ft. Example 2,200 sq. ft. home =	\$6,226



COMPARING THE COST OF A NEW SCHOOL TO THE RECEIPT OF THE DEVELOPER FEES. BASED ON THE COST OF \$18,000 PER STUDENT FOR AN ELEMENTARY SCHOOL (GLENSHIRE ELEM)

1500 SF	\$1.72	\$2580	15%
	\$2.83	\$4245	24%
2000 SF	\$1.72	\$3440	19%
	\$2.83	\$5660	31%
2500 SF	\$1.72	\$4300	24%
	\$2.83	\$7075	39%

EXAMPLE #2 (TRUCKEE PINES APARTMENTS)

104 UNITS, APPROX 100,000 SF, PAID \$1.72 SF ...\$175,000 TO DIST.

ESTIMATED STUDENT YIELD .70 PER UNIT = 72.8 CHILDREN  
WILL GENERATE A NEED FOR 5,205 SF. OF BUILDING SPACE

AT \$155 COST PER S.F. TO BUILD = \$806,806 TO CONSTRUCT

FEES COLLECTED	\$175,000
COST TO CONSTRUCT	(806,806)

SHORT FALL TO SCHOOL DIST \$ 631,806 TO HOUSE CHILDREN

IF ONLY PORTABLE CLASSROOM USED 4 @ \$95,000 = \$ 380,000

SHORTFALL W/RELOCATABLES ONLY = \$205,000

HAD THEY PAID \$2.83 SF = \$283,000 STILL SHORT \$97,000 FOR PORTABLE CLASSROOMS & \$523,806 FOR NEW CLASSROOMS



*letter B*

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD -  
LAHONTAN REGION**

2092 LAKE TAHOE BOULEVARD  
SOUTH LAKE TAHOE, CALIFORNIA 96150  
(916) 542-5400 FAX (916) 544-2271

**RECEIVED**



October 17, 1995

OCT 19 1995

Town of Truckee  
Community Development Department,  
Planning Division  
11570 Donner Pass Road  
Truckee, CA 96161

**TOWN OF TRUCKEE**  
COMMUNITY DEVELOPMENT DEPT.

Gentlemen:

**REVIEW OF TOWN OF TRUCKEE DRAFT GENERAL PLAN AND  
ENVIRONMENTAL IMPACT REPORT, 1995-2014**

Staff of the Lahontan Regional Water Quality Control Board (Regional Board) have reviewed the *Draft General Plan and Environmental Impact Report* (DGP/EIR, Vols. I and II). The DGP consists of goals and policies to deal with projected growth through 2014. The DEIR concludes that water quality impacts of the General Plan can be mitigated to less than significant levels. The Regional Board will not issue any permits as a direct result of Truckee's adoption of a General Plan. We have the following comments as a "trustee agency" under the California Environmental Quality Act (CEQA) for the surface and ground waters of the Truckee area.

**General Comments:**

The Town of Truckee is to be commended for considering a number of very constructive proposed policies in the Conservation and Open Space and Safety Elements of the General Plan which will protect and enhance water quality and beneficial uses of water. These policies include establishment of setbacks from the Truckee River and its tributaries, protection of groundwater recharge areas and steep slopes, transfer-of-development-rights systems to protect biologically sensitive areas such as wetlands, and commitment to work with state and local agencies to identify and eliminate existing and potential sources of water pollution. Regional Board staff are in support of these policies.

The State Water Resources Control Board and the Regional Boards are in the process of shifting their water quality planning activities to a watershed planning focus. The Regional Board has recently revised its *Water Quality Control Plan for the Lahontan Region* (Basin Plan) which clarifies Regional Board goals and policies for the Truckee River and its watershed. The Truckee River watershed is one of the highest priority watersheds in the Lahontan Region for watershed planning. The proposed General Plan policies will be an important factor in our watershed planning and implementation effort. Regional Board staff look forward to working with the Town of Truckee and other stakeholders toward the protection and enhancement of water quality in the Truckee River watershed.

The new Basin Plan encourages watershed restoration and includes a detailed program for the protection and enhancement of wetlands and 100-year floodplain areas of the Truckee River and its tributaries. Regional Board staff are committed to work with local governments to coordinate and streamline permitting processes. Along with CEQA and other permitting processes, policies in the Basin Plan include requirements to develop adequate measures when mitigation for losses of wetland/floodplain values and functions is required. These values and functions include water purification, flood control, nutrient removal and transformation, sediment stabilization and retention, water supply, ground water recharge, erosion control, recreation, and wildlife and aquatic habitat values. The Regional Board generally implements its wetland protection policies within a hierarchy of preferred alternatives, with avoidance and minimization of wetland disturbance preferred over disturbance followed by mitigation consisting of wetland restoration or creation. In general, onsite and in-kind mitigation is preferred over offsite mitigation.

In some cases, avoidance and onsite mitigation may be infeasible or undesirable due to other competing objectives. For these cases, the Regional Board encourages local governmental entities to develop and implement wetland and floodplain policies, including the development of local "mitigation banks" whose primary focus is the restoration of damaged historic wetland sites. Under this concept, wetland encroachment mitigation fees are paid by the developer to the custodian of the wetland bank to improve the functions and values of the historic wetlands. Mitigation banking is especially applicable to mitigating disturbance of small, fragmented wetlands of low value, by focusing efforts into the enhancement of a formerly high-value wetland. It is also suited to assisting local residents (i.e., the single-family home owner or business owner) to provide adequate mitigation where the expertise, financial resources, water or land to provide suitable replacement wetlands is limited. There are areas within the Town of Truckee which may be suitable as potential sites for development of a wetland mitigation bank, including, but not limited to, the Teichert Aggregates quarry site on Donner Creek, near the west end of Deerfield Drive, and the old Fiberboard mill near the confluence of Trout Creek with the Truckee River. Grants and/or low interest loans may be available for start-up with the goal that the bank will ultimately be self-supporting.

The Regional Board is currently awaiting the results of a study of the Truckee River watershed, conducted pursuant to Section 205(j) of the federal Clean Water Act, which will provide information on appropriate planning efforts to improve watershed conditions in the Truckee region. The study has three primary components: water quality planning, land use planning, and water budgeting within the watershed. In addition, the 205(j) study will provide an improved planning basis for grant funding available to local governmental agencies under Section 319 of the Clean Water Act, particularly with regard to control of non-point source water pollutants. A Technical Advisory Committee has been formed around the development of the 205(j) report, and Regional Board staff look forward to continued cooperation with Town of Truckee staff in assessing the conclusions and recommendations of the final report, when published.

## Specific Comments on the DGP/EIR

1. (Vol. I, page 29) Table 2.1, "Roadway Improvements Associated with General Plan Implementation", includes the widening of West River Road east of Highway 89 to four lanes. Because of the proximity of the road to the Truckee River, this direction could be in conflict with some of the water quality protection policies elsewhere in the General Plan. The final EIR should recognize and identify possible mitigation for the potentially significant water quality impacts of this circulation goal and for those of other potential roads or road-widening projects near surface waters. (An example is the dedicated easement across Trout Creek for the Euer Valley Road alignment between Northwoods Boulevard and Bridge Street.) Road widening projects which affect wetlands and/or 100-year flood plains will be subject to the Regional Board's Basin Plan mitigation/offset requirements.
2. (Vol. I, page 43) Conservation and Open Space Policy 7.4 would require a Conditional Use Permit for substantial grading or timber harvesting not associated with a development project on parcels in a number of zoning categories. However, "actions necessary for environmental studies, and for control of fire fuels" would be exempt from this requirement. Because of the currently large number of dead and dying trees, we are concerned about the potential water quality impacts of these exemptions. The final EIR should recognize and provide mitigation for such impacts, particularly in cases where small-scale fuel control timber harvests may not be reviewed under California Department of Forestry procedures.
3. (Vol. I, page 48) Safety Policy 2.8 involves implementation of requirements to maintain "defensible space" for fuel reduction around development. In order to protect water quality from the potential for accelerated and severe erosion from land development, the concept of "defensible space" should include revegetation with less flammable species, and fire-resistant native and adapted species, and the use of mulch rather than the creation of large areas of bare soil continually disturbed by raking, and subject to erosion by water and wind.
4. (Vol. I, pages 107 and 114) The Housing Element provides for second dwelling units on single-family residential parcels "in appropriate areas" and under certain conditions. The availability of wastewater collection and treatment facilities and the Regional Board's septic system waste discharge prohibition and density criteria should be factors in the determination of "appropriate areas" for second units, and for "clustered development" in unsewered areas. Storm water control needs associated with increased impervious surface for such units should also be considered.
5. (Vol. I, page 118) In order to increase the supply of affordable housing, Housing Program 3.1.2 proposes to change the Development Code to make the approval of multifamily dwelling complexes of 24 units or less "ministerial". As we commented in our response to the Notice of Preparation for the General Plan EIR, Regional Board staff are concerned that this recommendation will make it necessary for the Regional Board to assume lead agency responsibility for "ministerial" multi-family housing projects, and to prepare its own environmental documents before approving waste discharge permits; this would cause delay and negate the purpose of the policy. On

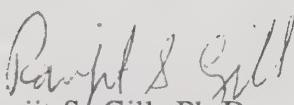
page 126 of Volume I, it is stated that the General Plan environmental analysis is not intended to function as project specific analysis for development applications which are currently proposed or which may be proposed in the future. The draft General Plan EIR does not adequately address the potential water quality impacts of ministerial multi-family housing projects. There are two potential alternatives for resolving this problem: (1) the final General Plan could designate specific areas where such "ministerial" housing could be built and provide adequate programmatic analysis of water quality impacts and mitigation measures for housing in such areas in the final EIR; or (2) in adopting the General Plan, the Town of Truckee could make a commitment to do a future programmatic EIR for such housing before it is declared "ministerial".

6. (Vol 2, pg 37) This section states that all new development and construction will potentially affect water quality and ground water recharge, and indicates that General Plan policies should address these issues. In addition, proposed policies such as undergrounding all utilities to prevent viewshed impacts may have unintended consequences to water quality, for instance, as a result of repeated disturbance to unstabilized roadside drainageways. In view of Regional Board prohibitions on waste discharges within the Truckee River watershed, improvements to water quality within the watershed will most likely occur through the control of non-point source pollution and restoration of the natural, water-cleansing functions of wetlands and floodplain areas. To this end, the Regional Board has required that new commercial, as well as new and existing industrial facilities, incorporate onsite drainage controls to treat or infiltrate storm water runoff from all impervious surfaces generated by a 20-year, 1-hour storm (0.70 inch of rainfall). Although the Regional Board typically does not regulate single-family residential development following subdivision development, it is consistent with the goals set forth in the DGP/EIR that local Town planners require that new residential development (i.e., individual homeowners, multi-family housing developers) consider and incorporate appropriate Best Management Planning to prevent increases in suburban runoff and impacts to water quality from the construction of impervious and compacted surfaces associated with new and expanded residential development. Accepted Best Management Practices could be used to limit water quality impacts to pre-development levels, or use of design criteria (such as the 20-year, 1-hour storm) could be specified as an alternative to showing that a project will not result in substantial adverse impacts when considered cumulatively with other development. Individual drainage improvements will serve other goals such as

reducing the need for auxiliary Town drainage improvements, prevent exacerbation of flooding effects and associated hazards, improve the quality of storm waters tributary to surface waters, reduce erosion, enhance the aquatic environment, etc. Such requirements appear to be consistent with other design elements of the General Plan.

Please contact Judith Unsicker at (916) 542-5417 if you wish to discuss these comments.

Sincerely,

  
Ranjit S. Gill, Ph.D  
Chief, Planning and Toxics Section

cc:    Regional Board members  
         State Clearinghouse

JEU/sh17-truckee.dgp  
[Town of Truckee/General]



Letter C

## DEPARTMENT OF FISH AND GAME

REGION 2

1701 NIMBUS ROAD, SUITE A  
RANCHO CORDOVA, CA 95670

(916) 358-2888



RECEIVED

October 16, 1995

OCT 23 1995

TOWN OF TRUCKEE  
COMMUNITY DEVELOPMENT DEPT.

Ms. Elizabeth Eddins  
Town Planner  
Town of Truckee Community  
Development Department  
11570 Donner Pass Road  
Truckee, California 96161

Dear Ms. Eddins:

The Department of Fish and Game (DFG) has reviewed the Town of Truckee Draft General Plan and Environmental Impact Report. This document is intended to guide growth within the incorporated area and sphere of influence of the Town of Truckee (19,520 acres), Nevada County.

We remain concerned about the integrity of portions of the General Plan area with respect to use by wildlife as movement and habitat areas. The area designated in the Land Use Plan as OSR, RC/OS, and PUB running north of the Truckee Tahoe Airport to Interstate 80 has not been appropriately designated to ensure that this area will remain functional for wildlife use. We believe that this area provides the only opportunity within the General Plan area to assure animal movement along traditional wildlife corridors. The above designations allow land uses such as intense recreational and other public facilities and structures that will significantly impact use by wildlife.

We have the following specific comments related to this and additional issues:

1. Page 10, DR designation: Open Space is not adequately defined for this parcel to assure where or what can be developed in the future. Clarification should assure that Open Space uses be confined to those consistent with maintenance of natural habitat conditions and that they are located in areas that assure continued animal movement and use.
2. Allowable use of the Prosser Village interchange has not been discussed, thus potentially affecting the ability of the interchange area to continue to be used by wildlife as an undercrossing along Interstate 80. This issue should be addressed and discussed.

Ms. Elizabeth Eddins  
October 16, 1995  
Page Two

- 4 [ 3. Page 39, Conservation and Open Space Policy 1.3: The Land Use Plan and this policy are clearly inconsistent based upon our evaluation of the potential uses as allowed under the current land use designations and plan omissions as they affect the ability of the site to function as wildlife habitat and a wildlife movement corridor.
- 5 [ 4. Page 40, Conservation and Open Space Policy 1.3: "Habitat for resident populations" is not by itself considered to be sensitive and should be deleted from this list. However, habitat for State-listed and Federally-listed plant and animal species should be added as sensitive.
- 6 [ 5. Page 40, Conservation and Open Space Policy 1.4: Protection of habitat may not be feasible or practical as the only means to mitigate impacts to sensitive resources and severely limits options that may provide overall benefits to wildlife. At times, mitigation through manipulation of degraded or non-sensitive habitats would be preferred to that of protection. This type of option should be included within this policy to the extent that no net loss of sensitive habitat values results from such action.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Jeff Finn, Associate Wildlife Biologist, at (916) 477-0308 or Mr. David Zezulak, Acting Environmental Services Supervisor, at (916) 358-2919.

Sincerely,



L. Ryan Broddrick  
Regional Manager

cc: Warden Perrault  
Department of Fish and Game  
Rancho Cordova, California

State of California -

THE RESOURCES AGENCY

MEMORANDUM

To : Project Coordinator  
Resources Agency

Date: October 20, 1995

Mr. Tony Lashbrook  
Town of Truckee  
Department of Community Development  
11570 Donner Pass Road  
Truckee, California 96161

*Late*  
*10-20-95*

*late*

From : Department of Conservation  
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report (DEIR) for the Town of Truckee General Plan - SCH# 94092041

Dear Mr. Lashbrook:

The Department of Conservation's Division of Mines and Geology (DMG) has reviewed Chapter 5, the Safety Element (pages 47 and 48) of the new General Plan for the newly incorporated Town of Truckee.

1 We are concerned that the Safety Element does not focus on the 1966 Truckee earthquake and the seismically active Dog Valley Fault Zone. We recommend the Safety Element include a fault map, an earthquake epicenter map, a table of earthquake ground motion expected from nearby faults, and a discussion of earthquake preparedness for residents of Truckee. Useful publications are available from the California State Seismic Safety Commission. We also recommend the bibliography be grouped according to specific elements. The Land Use element included a geologic map for the Town of Truckee sphere of influence.

2 Section 65302(g) of the California Government Code requires city and county planning departments to directly contact the State Geologist for initial consultation regarding geologic hazards applicable to the Safety Element. This copy was forwarded to us through the State Clearinghouse, so we received it too late to make a detailed technical comment as required by statute.

Please send your initial correspondence to Senior Engineering Geologist Robert H. Sydnor, California Division of Mines and Geology, 801 K Street, MS 12-31, Sacramento, California 95814; telephone (916) 323-4399. Mr. Sydnor will be able to provide you assistance in writing the geohazards section of the Safety Element.

The Department appreciates the opportunity to comment on the DEIR. If I can be of assistance, please contact me at (916) 445-8733.

*MARSHALL*  
Jason R. Marshall  
Acting Assistant Director  
Office of Governmental and Environmental Relations  
*502-*

cc: R.H. Sydnor, Division of Mines and Geology



## DEPARTMENT OF TRANSPORTATION

DISTRICT 3  
P.O. BOX 911  
MARYSVILLE, CA 95901  
TDD Telephone (916) 741-4509  
FAX (916) 741-5346  
Telephone (916) 741-4539

RECEIVED



letter E

NOV 6 1995

November 2, 1995

**TOWN OF TRUCKEE**  
COMMUNITY DEVELOPMENT DEPT.

GNEV098  
03-NEV-80 PM 14/18  
Town of Truckee General Plan  
DEIR SCH#94092041

Ms. Elizabeth Edins, Town Planner  
Town of Truckee Planning Division  
Community Development Department  
11570 Donner Pass Road  
Truckee, CA 96161

Dear Ms. Edins:

Thank you for the opportunity to review and comment on the above referenced document.

## COMMENTS:

- 1 [ Page 18 A more detailed list of freeway oriented commercial uses should be listed under Land Use Policy 2.1, including factory stores and motels.]
- 2 [ Table 2.1 A note should be added to the first three segments listed for State Route (SR) 267 to indicate these segments are part of the existing SR 267 highway. These segments will become local arterials once the planned Truckee Bypass is constructed. The segment labeled as (N/O Tahoe Truckee Airport) would be more specific if it was labeled as (N/O SR 267 Bypass).]
- 3 [ Plates 1 and 4  
In the area surrounding the south end of the SR 267 Truckee Bypass, a significant amount of commercial land use is shown. Is this the Joerger Property which is referred to in the alternatives analyses?
- 4 [ Although commercial development in this area could reduce trips from one side of town to the other, preparation of a specific plan for this area is recommended. It may be necessary to reduce the amount of commercial land use or to shift the majority of it to the west side of the planned route of the Truckee Bypass. This would reduce the amount of traffic which would need to cross the Bypass.]
- 5 [ The SR 267 highway in this area will only be accessible at the proposed signalized intersection. A fourth leg to this intersection is planned, and it should be designed as a collector or an arterial road which extends to the Airport Road to improve local circulation.]
- 6 [ With only the one proposed SR 267/local road intersection in this area, turning volumes and through volumes on Friday afternoons and Saturdays could cause significant amounts of congestion. Providing local roads parallel to the highway would provide some alternative reliever routes.]

- 7 In addition, Caltrans recommends a road extension into Placer County to connect to the Gooseneck Ranch area. This road should be planned to provide local circulation south of SR 267 which would allow a local connection to the development. Coordination with the Placer County Planning Department in the development of a specific plan will ensure better circulation and land use planning in this area.
- 8 Page 31 Circulation Policy 1.6 should be revised to specify what PM peak hour it is referring to. Traffic volumes in the Truckee area vary dramatically by day of the week and by season. Traffic impact studies conducted in off-peak seasons could significantly underestimate the impacts of proposed developments.
- 9 Technical Memorandum, Figure 2 It appears that the traffic volumes shown for the State Highways are based on Caltrans' 1991 Traffic Volumes publication. It should be labeled accordingly. The 1994 traffic volumes are significantly different from 1991, and we recommend that these volumes be updated. The volume of 12,500 shown for SR 267 should be relocated to a point just south of Commercial Row. The reference to this volume in the first paragraph of Page 47 should also be revised accordingly.
- 10 T.M., Figure 4 This figure should be labeled to indicate what year, season, and day of the week it is based on, and the source of these volumes.
- 11 Page 54 The Traffic Analysis does not include sufficient information to determine its adequacy. Caltrans needs to review both the existing and future intersection analyses for all State Highway facilities. The Level of Service (LOS) threshold criteria used to determine the LOS for highway segments should also be listed, with references cited. Figures similar to Figures 4 and 5 are also needed to show future volumes. The traffic model files should also be sent for Caltrans review.
- 12 Page 58 The use of the weighted average method for unsignalized intersections is acceptable only if the LOS for the worst individual movements is also listed. It is sometimes feasible to improve the LOS for individual movements by adding turning lanes, wide shoulders, or improving the intersection sight distance. These types of improvements should be considered before an individual movement LOS of E or F is considered acceptable.
- 13 Table 20 The trip generation rates shown do not appear to be consistent with the ITE Trip Generation publication. As an example, the PM peak hour trip generation rate for single-family detached housing, as shown on Page 261 of the ITE Manual, is 1.01 trips per unit. Table 20 lists it as 0.60 trips per unit. This discrepancy should be explained.
- 14 Tables 20 and 21 Both of these tables combine "High School" trip rates with hotel or motel trip rates, which is not logical.

Table 22

- 15 Label the first three segments listed for SR 267 as we commented on Table 2.1. The segment listed as SR 89 (S/O Donner Pass Road) is not a State Highway. It should be listed as the Extension of SR 89.
- 16 The SR 267 Bypass is planned to be constructed as an expressway, not a freeway, and its capacity should be evaluated accordingly. This table only considers the need for 2 or 4 through-lanes for the road segments. Providing a two-way left-turn lane, or left turn lanes with a raised median, can also significantly increase the capacity of a roadway. It is recommended that these road segments be reanalyzed to determine whether 3-lane or 5-lane sections would be more appropriate.
- 17 This table indicates that SR 89 north of I-80 would need to be widened to provide 4 through lanes unless the Low Growth Alternative is adopted, or the Planned Community in the area is eliminated.
- 18 Local funding of all related highway improvements should be assumed.
- 19 This table also indicates the need to widen the existing SR 267 to provide 4 through lanes through the downtown area. The feasibility of this future widening project should be seriously considered before the land uses in this area are finalized.
- 20 Table 23 This table appears to provide LOS results for intersections without assuming any improvements. Future improvement needs should be estimated and their feasibility discussed. The future LOS with all feasible improvements in place should then be listed.

If you have any questions or need assistance please contact Terri Pencovic, Inter Governmental Review/CEQA Coordinator, at (916) 741-4199.

Sincerely,

*E. A. "LIB" HARAUGHTY*,  
E. A. "LIB" HARAUGHTY, Chief  
Office of Transportation Planning - Rural



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**WILLIAM ABBOTT  
& ASSOCIATES**  
ATTORNEYS AT LAW

---

*William W. Abbott*

*better F*

*Diane G. Kindermann*

October 4, 1995

**VIA FACSIMILE**

Brita Tryggvi, Chairperson  
Planning Commission  
Town of Truckee  
11570 Donner Pass Road  
Truckee, CA 96161

Re: Public Review Draft General Plan and Environmental Impact Report,  
Volumes I and II - Town of Truckee

Dear Planning Commission:

**INTRODUCTION**

These comments are being submitted on behalf of the Mountain Area Preservation Foundation ("MAPF"). These comments are based on all of the documents comprising the Public Review Draft General Plan ("General Plan") Volume I, and Environmental Impact Report and Technical Appendix Volume II ("DEIR" collectively called "Project") prepared for the Town of Truckee (hereinafter "Town" or "Truckee"). This comment letter also repeats and incorporates by reference all other comments presented in conjunction with the California Environmental Quality Act ("CEQA") Public Resources Code section 21000 et seq., review relating to the Project. The comments herein address General Plan and CEQA issues. The General Plan discussion will address general requirements followed by specific requirements for each mandatory element. This will be followed by a discussion of CEQA compliance.

While it is possible that the answers to some inquiries or omissions may be found in the Project documents, we believe this to be the exception. The MAPF remains poised to assist the Town in the resolution of each issue raised.

Planning Commission  
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Page 2

## I. GENERAL PLAN ISSUES

### A. STATEMENT OF DEVELOPMENT POLICIES: INCLUDING GOALS, OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES

Government Code section 65302 states that "the General Plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards and plan proposals." The General Plan Guidelines (1990, Governor's Office of Planning and Research) ("General Plan Guidelines"), provides examples of development policies and demonstrates the relationships among goals, objectives, policies and implementation measures. Essentially, a "development policy" is a General Plan statement that guides action. A "goal" is a direction setter. It is an ideal future end, condition or state related to the public health, safety or general welfare toward which planning and planning implementation measures are directed. An "objective" is a specific end, condition or state that is an intermediate step toward obtaining a goal. It should be achievable and when possible, measurable and time specific. A "policy" is a specific statement that guides decision-making. It indicates a clear commitment of the local legislative body. It is based on the General Plan's goals and objectives as well as the analysis of the data. An "implementation measure" is an action, procedure, program or technique that carries out General Plan policies. Each policy must have at least one corresponding implementation measure.

The General Plan contains few identifiable implementation measures. All statements are designated "policies" and few constitute an action, procedure, program or technique that carries out General Plan policy. Land Use Policy 7.2 is one example of an implementation measure. In addition to violating the planning and zoning law mandates on general plan content, the paucity of implementation measures renders the DEIR legally inadequate insofar as mitigation measures are required. Without any substance, the "policies" cannot mitigate the relevant impacts and the Town cannot make findings as to the significance of impacts after mitigation.

Although specific statutory references to implementation programs are found under the open space, housing, and noise elements, each element should contain policies setting forth the commitment of the local legislative body to implement the Plan, and "each policy must have at least one corresponding implementation measure." (General Plan Guidelines, page 16.) Without implementation measures, there are no actions, procedures or programs driving the development policies. Examples of implementation measures are: (1) "The Town shall use tax increment financing to pay the cost of replacing old sidewalks in the redevelopment area." (2) "The Town shall adopt a specific plan for the industrial park." (3) "Areas designated by the land use

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October 4, 1995  
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element for agriculture, shall be placed in the agricultural zone." The Guidelines should be referred to for the construction of appropriate language to create implementation measures.

Some examples of recommended implementation measures that fulfill the goals, objectives and policies of the General Plan, plus provide mitigation, are as follows:

Land Use:

(1) Policy 2.2: Change "is discouraged" to "is not allowed" to prevent subdivisions of estate type parcels. If the Town does not want sprawl-inducing, inefficient parcel sizes, an unequivocal directive will demonstrate that intent.

(2) In furtherance of retaining the Town character, open space designations shall be permanent. An implementation measure should provide: "The Town Council shall not approve any development in areas designated for open space." Also, the Town shall designate as OSR or OSRC all parcels circumscribing Truckee. The RC-10 and RC-5 designations on the Town's border are inconsistent with the Vision Statement of retaining the small town character.

(3) The Town Council shall establish a commercial limit line starting at the Old Mill site on the east, circling Donner Pass Road, PC-1 and a portion of Highway 89 South. Commercial development outside of this important infill area shall be limited to neighborhood serving commercial and will be restricted to 5 acres.

(4) The Town Council shall only approve commercial development in Truckee which is phased with an emphasis placed on the Old Mill site and vacant parcels in the Downtown study area. Without phasing, none of the objectives for Downtown will be realized. These objectives include the development of Downtown before the development of outlying areas.

(5) Residential development in Truckee will be phased so that no new subdivisions will be built on the edge of Town until 80 percent of Tahoe Donner and other infill areas are completed.

(6) Policy 4.4 is an excellent example of a policy to preclude "strip" commercial development. However, to indicate a clear commitment of the legislative body, the clause "outside of freeway-oriented commercial areas" should be deleted.

(7) Policy 7.2 is one example of an implementation measure. Also, requiring the creation of a Truckee Open Space District to manage open space lands and/or facilitate the transfer of open space lands to the Parks and Recreation District would provide a solid mechanism to carry out the policy and mitigate potential significant

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Page 4

impacts. Given the Park and Recreation District's workload and the reluctance of land trusts to actively manage open space areas, a new District could take care of these lands and the Town's creation of such a district would demonstrate its seriousness about protecting and maintaining open space now and in the future.

(8) Regarding PC-2, implementation measures could provide that the Town Council will only approve phased commercial development on PC-2, with phasing not to take place before 70 percent of the Old Mill site is developed. Plus, commercial uses in PC-2 shall be neighborhood serving only, and shall be limited to 5 acres. The land use element should define "destination recreational community." These modifications create measures that implement the goals to preserve existing natural features and values, protect the small town character and ensure design on a pedestrian scale.

#### Circulation:

Policy 6.3 is a goal to encourage continued freight service on the Southern Pacific rail lines. One implementation measure should direct the Town and Southern Pacific to adopt a plan to fund a second crossing on Spring Street to accommodate the traffic impacts from the continued freight service.

#### Conservation and Open Space:

Policy 3.2 requires an implementation measure such as: "The Town Council shall adopt a Town Reclamation Policy (enumerate performance standards) to ensure the full clean-up and restoration of mineral extraction sites and the transfer of those sites to open space/recreational uses once the resources have been extracted and reclamation is concluded."

Policy 4.6 also requires implementation measures. For example: "Areas designated as open space shall be dedicated as permanently protected open space."

#### **B. CONSISTENCY**

The "internal consistency" requirement stems from the language in the basic General Plan law mandating "that the General Plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency." (Gov. Code § 65300.5.)<sup>1</sup> This standard has been interpreted and applied by the courts in a number of cases, and judicial decisions on the issue fall into two categories: (1) Cases where irreconcilable conflicts between General Plan

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<sup>1</sup>Unless otherwise specified, all subsequent statutory references are to the Government Code.

Planning Commission  
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Page 5

policies are present on the face of the Plan; and (2) cases where a minor amount of tension within or between elements exists, but is found acceptable within the context of the Plan. Examples of internal consistency deficiencies include, but are not limited to the following:

(1) Land Use Policy 3.4 requires that sewers be provided for all new residential subdivisions creating more than four lots. This seems to encourage rather than discourage the establishment of "estate type parcels" by providing an incentive to keep parcel sizes large enough for septic systems and is therefore inconsistent with Land Use Policy 2.2 which discourages subdivision of estate sized parcels. If estate type parcels are not discouraged, the sewer requirements will tip the balance toward larger (less than four) parcel sizes.

(2) Circulation Policy 1.14 requires the construction of a secondary access road out of Tahoe Donner which connects to Highway 89 north and the Downtown area. To ensure consistency with the Guiding Principles requiring that new development be located around existing development, more emphasis should be placed on Downtown and not 89 North, thereby ensuring that new commercial development is contiguous with existing development.

(3) To be consistent with the General Plan's Vision Statement for pedestrian-oriented uses, and improve the look of Donner Pass Road, implementation measures should establish tree planting policies and techniques to conceal parking lots (i.e., Safeway) and encourage foot and bike traffic. Require tree planting and sidewalk maintenance along Dorner Pass Road and in all new commercial/office development.

(4) Conservation and Open Space Policy 5.2 ordains that all structures at the existing Interstate 80/Highway 267 north interchange be substantially screened from sight from the Highway. This is inconsistent with the Guiding Principles which provide that any new freeway-oriented commercial development shall be located at two (2) specific interchanges. (General Plan, page 7.) The Interstate 80/Highway 67 north interchange was not identified as one of the two interchanges slated for commercial development.

#### C. LAND USE

Government Code section 65302(a) outlines the required components of an adequate land use element. In essence, the land use element shall designate the general distribution and intensity of uses of the land for housing, business, industry, open space, education, public buildings and grounds, waste disposal facilities, and other categories of public and private uses. The General Plan's land use element does not comply with the statutory requirements. Examples of this deficiency include, but are not limited to, the following:

Planning Commission  
October 4, 1995  
Page 6

(1) The General Plan does not contain appropriate standards for population density. *Camp v. County of Mendocino* (1981) 123 Cal.App.3d 334. See also *Twain Harte Homeowners Association v. Tuolumne County* (1982) 138 Cal.App.3d 664, in which the court defined "population density" as the actual number of people in any given area.

(2) The General Plan Land Use Map does not designate all public facilities within the urban area owned and operated by the federal, state and local government agencies. All public facilities must also be addressed in the text of the General Plan, including their density and intensity, and the development, maintenance and siting of existing and projected public facilities, including buildings and infrastructure. (§ 65302(a) and General Plan Guidelines published by the Office of Planning and Research at pages 80-81.)

(3) The General Plan does not contain appropriate quantifiable standards for building intensity, as required under *Camp, supra*. The General Plan must contain such building intensity standards for each land use designation defining the most intensive use that will be allowed under each designation.

1

The case of *Twain Harte Homeowners Association v. County of Tuolumne* (1982) 138 Cal.App.3d 664, has provided the most complete interpretation of building intensity available to date. Intensities should be defined for each of the various land use categories in the General Plan. General land use captions such as "neighborhood commercial" and "service industrial" are insufficient measures of intensity by themselves. Intensity will be dependent upon the local Plan's context and may be based upon a combination of variables such as maximum dwelling units per acre, height and size limitations, and use restrictions. While the land use designation identifies the type of allowable uses, the building intensity standards will define the concentration of use. These standards of building intensity should define the most intensive use that will be allowed under each designation. Each intensity standard should include (1) permitted land uses and building types; and (2) concentration of use. Permitted land uses and building types is a qualitative measure of the uses that will be allowable in each land use designation. The concentration of use can be defined by one or more quantitative measures that relate directly to the amount of physical development to be allowed. Maximum dwelling units per acre is a good residential standard. Floor area ratio (the ratio of building floor area to the total site area) is a useful measure of commercial and industrial intensity. The dual standard of maximum lot coverage and maximum building height is suitable for agricultural, open space and recreational designations where development is being limited.

The General Plan building intensity analysis and data fall short in terms of permitted land uses and building types, but does present fairly solid criteria for concentration of use.

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(4) The General Plan should state whether the Town has adopted Nevada County's Hazardous Waste Management Plan. Legislation adopted in 1986 encourages county-city cooperation in the preparation of Hazardous Waste Management Plans pursuant to Health and Safety Code sections 25135 *et seq.* Hazardous Waste Management Plans are still required even though the CoIWMP may present overlapping information also required in the County Hazardous Waste Management Plan. For example, the CoIWMP must contain a Household Hazardous Waste Element (Pub. Resources Code §§ 41500-41510). Health and Safety Code section 25135.1(d)(4) provides that a Hazardous Waste Management Plan shall include directions for management of hazardous waste produced by businesses and households. Consequently, some repetition of information will occur. Final adoption of the Hazardous Waste Management Plan requires approval by the county supervisors, as well as the majority of the councils of the cities containing a majority of the county's population. Inter-governmental coordination should take place between the Town and Nevada County to prepare and submit this Plan for approval to the Department of Health Services.

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(5) Under Policy 5.2 a 35,000 square foot limitation would be consistent with the Vision Statement for retaining the "small town flavor."

(6) PC-1 Policy 4: Change "commercial serving local needs" to "neighborhood serving commercial" and reduce the commercial acreage to 5 acres. It is unclear from the chart in the General Plan how much of the 20-acre "mixed use development" is actually commercial. Local serving commercial should be located on vacant land Downtown on Donner Pass Road, not in PC-1. This is the only way to ensure that the Teichert Planned Community-1 does not create an unacceptable traffic impact on Donner Pass Road, but instead fulfills the Vision Statement concerning pedestrian-oriented uses and a retention of small town character.

(7) The language on page 15 of the land use element states, "Full build-out of the land uses for PC-1 would result in the need for four lanes on Donner Pass Road. To mitigate this, the Plan calls for a mix of land uses. However, the only way to ensure that people do not drive on Donner Pass Road to PC-1 to shop, is to limit the commercial uses to neighborhood serving commercial only. This land use designation is consistent with the traffic studies and appropriately places the burden on the applicant to request a zone change.

(6) PC-1 Policy 10: This is not an acceptable mitigation measure for the traffic on Donner Pass Road. As stated above, limiting the amount of commercial uses on PC-1 can ameliorate the decrease in level of service.

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D. CIRCULATION ELEMENT

Section 65302(b) states that a circulation element shall consist of the general location and extent of existing and proposed (1) major thoroughfares, (2) transportation routes, (3) terminals, (4) all other local public utilities, and (5) all other local facilities, (6) all correlated with the land use element of the Plan. Issues such as "transportation routes" and "other local public utilities and facilities" cover a wide variety of topics including streets and highways, public transit routes, stops, and terminals for busses, railroads, etc., private bus routes and terminals, bicycle and pedestrian routes and facilities, truck routes, railroads, airports, parking facilities, etc. It also includes assessment of the adequacy and availability of existing community water, sewer, and drainage facilities, and the need for expansion and improvement, trends, and peak and average daily flows, assessment of current power plant development and potential future development, inventory and location of existing and proposed power plants, oil, and natural gas pipelines and major electric transmission lines and corridors. The circulation element of the General Plan is deficient in several areas including, but not limited to, the following:

1 (1) The circulation element of the General Plan does not include goals, objectives, policies, and implementation measures for each policy. Section 65302 mandates that the General Plan shall consist of a statement of development policies, and shall include diagrams or text setting forth objectives, principles, standards, plan proposals, and implementation measures. Without goals, objectives, policies, and implementation measures in place to govern circulation in the Project area, the circulation element is legally inadequate.<sup>2</sup>

(2) The General Plan does not address the adequacy and availability of existing community water, sewer and drainage facilities and the need for expansion and improvements. It does not include existing and projected capacity of treatment plants and trunk lines, and trends in peak and average daily flows. Moreover, it does not include an inventory or location of existing and proposed power plants, oil and natural gas pipelines and major electric transmission lines and corridors. Finally, there is no assessment of current power plant development and potential future development. There is no consideration of such factors as the demand for transmission facilities, the transport and storage of hazardous materials and local transportation impacts of current and future power plant development.

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<sup>2</sup> This comment regarding the lack of distinguishable goals, objectives, policies and implementation measures, is applicable to all of the mandatory General Plan elements in this proposed Plan.

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#### E. CORRELATION

The General Plan circulation element is not correlated with the uses projected by the land use element, nor does it plan for a level of service commensurate with projected development. *Concerned Citizens of Calaveras County v. County of Calaveras* (1985) 166 Cal.App.3d 90, 212 Cal.Rptr. 273.

The importance of correlation between circulation and land uses cannot be overemphasized. It is a common allegation in lawsuits, in part because of its complexity and in part because many general plans do not include the explicit evidence of correlation recommended in the statute. Three California appellate cases have addressed the subject of correlation between the circulation and land use elements. These three cases are: *Concerned Citizens of Calaveras County*; *Twain Harte Homeowners Association*; and *Camp*. The *Concerned Citizens* court held that the Calaveras County General Plan land use and circulation elements failed the correlation test of Government Code section 65502(b). The court's decision relied upon the analysis of the correlation requirements set forth in *Twain Harte*. In that case, the County General Plan described the existing roadways and public transportation system, but did not project future circulation needs generated by the increase in county population. The court held that the correlation requirement dictates that the circulation element describe: "...the changes or increases in demands on the various roadways or transportation facilities of the county as a result of changes in uses of land which will or may result from implementation of the decision system and General Plan." *Twain Harte, supra*, at 701. Since the General Plan was silent on this issue, the court held that the correlation requirement of section 65502(b) had not been met. Except for some oblique objectives and implementation measures, the General Plan does not address the need for expansion of the circulation system, nor does it elucidate how new traffic generated by growth would be accommodated. In both cases discussed above, the courts' underlying concerns stressed the need for the local government to address, by way of specific proposals or objectives, a method for meeting the increased infrastructure demands anticipated from the projected population growth.

In the *Twain Harte* and *Calaveras County* cases, the appellate courts required a three step analysis to demonstrate compliance with the correlation requirement. First, the General Plan must project the population growth anticipated over the time period of the General Plan. Second, the circulation element should analyze whether the existing road network is adequate for the new growth, and if not adequate, describe what is needed in light of additional growth. Third, the General Plan must explain how the local agency will either address the problems identified as a result of this evaluation of the circulation system (see *Twain Harte, supra*, 138 Cal.App.3d at 701), or provide an objective or standard by which the population growth will be restricted in the event that the circulation system is inadequate to handle future traffic. (*Calaveras County, supra*, 166 Cal.App.3d at 100-101.)

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That the correlation requirement is a salient general plan feature not to be overlooked is evidenced by virtue of its extension to all mandatory circulation element topics, and not only to traffic. Government Code section 65302(b) states that the General Plan shall include: "...a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other local public utilities and facilities, all correlated with the land use element of the plan." (Emphasis added.) Therefore, correlation extends not only to major thoroughfares and transportation routes, but also to the remaining portions of a legally valid circulation element, all of which must be closely, systematically and reciprocally related to the land use element. As discussed herein, none of the mandatory components were sufficiently addressed in the General Plan circulation element and correlated with the land use element. Consequently, the correlation requirement has not been satisfied.

#### F. OPEN SPACE AND RECREATION

1 Government Code section 65302(e) requires the General Plan to contain an open space element drafted pursuant to section 65560. According to Government Code section 65560(b) "Open Space Land" is any parcel or areas of land designated in an open-space plan as any of the following:

- (1) Open space for the preservation of natural resources;
- (2) Open space use for the managed production of resources;
- (3) Open space for outdoor recreation; and
- (4) Open space for public health and safety.

Unlike some of the other elements, the open space element must contain an action program consisting of specific programs, which the legislative body intends to pursue in implementing its open space plan. (Gov. Code § 65564.) By virtue of the Legislature's stated intent that open space resources be conserved wherever possible, the treatment of open space issues generally requires greater detail and analysis than other elements. (Gov. Code § 65562(a).)

In this General Plan, the open space element was combined with a conservation element. Although the conservation and open space element identifies some areas for the preservation of natural resources, managed production of resources and outdoor recreation, it does not identify open space areas for public health and safety such as open space areas designed for fuel break and fuel reduction zones, helistops and fire access. Moreover, the inventory and analysis under each of the categories is lacking.

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Guiding Principles in this element provide that "clustering" will be mandatory in new residential development on large parcels to create open space. The General Plan should define "clustering" and should define "larger parcels." Also, to reiterate earlier comments, there are no implementation measures to ensure that clustering will occur in the new residential development.

As to the conservation component of this element, pursuant to section 65302(d), the General Plan shall include a conservation element "for the conservation, development and utilization of natural resources, including water and its hydraulic forces, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. That portion of the conservation element including waters, shall be developed in coordination with any county-wide water agency and with all districts and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the Plan is prepared."

Although the conservation element overlaps provisions found in the open space, land use, safety and circulation elements, it differs from these elements in that it is almost exclusively oriented toward natural resources. Consequently, the conservation element should emphasize the conservation, development and utilization of specified resources.

The General Plan analysis provides minimal identification and analysis for the conservation of specified resources, but fails to examine the development and utilization of the resources. For example, Goal 2 addresses protection and conservation of forest and range land resources, but provides no specific measures for development and utilization thereof.

#### G. NOISE ELEMENT

Pursuant to Government Code section 65302, the noise element shall identify and appraise noise problems in the community. It should analyze and quantify to the extent practicable, current and projected noise levels for all of the following sources: 1) highways and freeways; 2) primary arterials and major local streets; 3) passenger and freight online railroad operations and ground rapid transit systems; 4) commercial general aviation, heliport, helistop and other airport operations; 5) local industrial plants; and 6) other ground stationary noise sources identified by the local agencies as contributing to the community noise environment. The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noises.

The General Plan noise element does not appear to analyze, quantify or provide noise contours for all of the sources that are required by statute. The discussion in the General Plan briefly summarizes existing and future noise environments. However, the

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technical noise study appears to analyze and quantify only the existing noise environment and not the future noise environment for all of the statutorily-required sources. Of equal importance, the noise contours were not utilized as a guide for establishing a pattern of land use in the land use element that minimizes the exposure of community residents to excessive noise.

#### H. SAFETY ELEMENT

The General Plan shall include a safety element for the protection of the community from any unreasonable risks associated with the effects of such hazards as seismically-induced surface rupture, landslides and other geologic hazards, flooding, and wildland and open fires. The safety element shall include mapping of various hazards and shall address various evacuation routes, peak load water supply requirements and minimum road widths and clearance around structures as those items relate to identified fire and geologic hazards.

1 The safety element fails in that it does not address evacuation routes, peak load water supply requirements and minimum road widths and clearance around structures as those items relate to fire and geologic hazards. In particular, fire hazards would seem to be a predominant concern in Truckee. For example, on the risk of wildland fires there should be the identification and classification of the areas of varying fire hazard severity based on the degree of development, fuel loading (vegetation), weather and slope, accessibility to fire protection assistance (i.e., response time, availability of helistops, proximity of air tanker attack bases, etc.) historic data and other pertinent data.

The safety element can also address hazardous material, spills, power failures and storm drainage. Of particular concern in the Downtown area is the Old Mill site which is the subject of controversy concerning soil contaminated with toxic substances. This is a crucial property with regard to Truckee's immediate growth. The safety element should include goals, objectives, policies and implementation measures to ascertain the remediation and development potentials on this site.

#### I. HOUSING ELEMENT

The statutory requirements for a legally supportable housing element are delineated in section 65583, which provides that the housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives and scheduled programs for the preservation, improvement and development of housing. A clarification of existing and projected housing needs to build-out of the General Plan is also required. One apparent problem with the General Plan is that it lacks an estimate of the anticipated population growth to the end of the 20-year planning horizon. Although the General Plan is based on 20-

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year growth projections, no further population estimates are provided. The housing element states that the population of Truckee grew by 60.9 percent between 1980 and 1990. However, there does not appear to be any estimate of the percentage of population growth anticipated over the 20-year period to build-out of this General Plan.

As with all other elements, there is a lack of distinguishable goals, objectives, policies and implementation measures.

Also, clarification is requested on Housing Program 5.1.4. This program appears capable of precluding some forms of new development. Clarification is required as to the intent of the Program and as to why 100 or more jobs is the standard for triggering a development agreement. It is understood that Truckee has a severe affordable housing deficit, and perhaps this Program should not apply only to commercial projects. Finally, the housing element should be submitted to the State of California Housing and Community Development Department for its review and comment prior to any approval of this element by the Town of Truckee.

## II. CEQA ISSUES

### INTRODUCTION

The following comments on the DEIR underscore critical deficiencies in the environmental documentation, and for the sake of brevity, provide only a few examples in those categories. The preparers of the EIR should review the CEQA statutory directives and California Code of Regulations, title 14 (hereinafter "Guidelines"), section 15126(a) the CEQA Guidelines, as well as any of a number of treatises available, to ensure that they have addressed all of the substantive requirements of an EIR.

MAPF's position is that the DEIR is deficient in all areas, to wit: 1) the Project description; 2) summary of impacts and mitigation measures; 3) description of the Project's environmental setting; 4) identification of significant impacts; 5) identification of mitigation measures to minimize significant impacts; 6) identification of unavoidable significant environmental effects; 7) alternatives; 8) significant irreversible changes; 9) growth-inducing impacts; and 10) cumulative impacts analysis. The correction of deficiencies noted in the General Plan will, to some extent improve the DEIR, but will not be sufficient to remedy all deficiencies.

### A. PROJECT DESCRIPTION

An EIR's project description must include: 1) a detailed map and a regional map showing the location of the Project; 2) a statement of the objective sought by the proposed project; 3) a general description of the Project's technical and economic and

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environmental characteristics; and 4) a statement describing the intended uses of the EIR, including a list of the agencies expected to use the EIR in a list of approvals for which it will be used. CEQA Guidelines § 15124.

3 The Project description in the DEIR is inadequate for the following reasons: 1) regional map showing the location of the Project is not provided; 2) a general description of the Project's technical and economic and environmental characteristics is missing; and 3) a statement describing the intended uses of the EIR, including a list of the agencies expected to use the EIR in a list of approvals for which it will be used is also not provided. The Project description in the DEIR provides: "The Plan elements themselves in this document constitute the Project description." To the extent that the Plan elements do not contain the requirements set forth in CEQA Guidelines section 15124, the Project description is deficient.

#### B. SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

4 The DEIR fails to fully identify and focus on the possible significant environmental impacts of the proposed Project as required pursuant to Public Resources Code section 21000(a). The analysis should identify both direct and indirect impacts as they occur, both in the short and long term, and should also discuss the environmental specifics of the affected area, the resources involved, and other aspects of the resource base such as water, soil, scenic quality and public services. (Guidelines §§ 15126(a) and 15143.) Examples of this deficiency include, but are not limited to, the following:

(1) The DEIR does not adequately identify and focus on the possible significant environmental effects of the proposed Project on air quality. The study relied on selectively focuses only on intersection carbon monoxide concentrations (Table 6). The DEIR does not include a current description of the local and regional air quality environment in the vicinity of the Project as it exists before the commencement of the Project. By failing to discuss air quality of the affected area, the DEIR does not adequately identify the significant environmental impacts resulting from the Project.

5 The DEIR, does note that policies to reduce air quality impacts are contained in the circulation and conservation and open space elements. However, it dismisses these impacts by stating that the impacts are not mitigated to a less than significant level for PM10 due to the existing severity of the problem. In the Mitigation Matrix, the EIR states that policies addressing impacts to air quality are found at Goal 11 in the conservation and open space element. This is inconsistent with the finding earlier in the document which provides that mitigation measures are only contained in the circulation element.

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6 Elsewhere, the DEIR also concludes that air quality could not be mitigated to a less than significant level because of existing air quality conditions. (General Plan, page 127.)

7 There is no data as to whether the California Clean Air Act of 1988 (the "Act") has identified Nevada County as being in any specific air basin such as the Mountain Counties Air Basin. Nor does it address whether Nevada County suffers from exceedence of maximum ozone levels as do many other upwind areas in the Mountain Counties Air Basin which have been required to adopt sufficient control measures to attain specified ozone standards within the impacted areas.

8 Appendix G of the CEQA Guidelines defines significant effects and concludes that a project will normally have a significant effect on the environment if it will violate any ambient air quality standards, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. (Guidelines, Appendix G(x).)

The DEIR's failure to identify the environmental specifics of the region's air quality, failure to identify and adequately mitigate the Project's significant environmental effects, and failure to investigate and note the mitigation requirements set forth by the State of California Air Resources Board, is violative of CEQA. (See *Kings County Farm Bureau, et al. v. City of Hanford* (1990) 221 Cal.App.3d 692, 270 Cal.Rptr. 650, where the court rejected the lead agency's conclusion that because regional ozone levels were "already bad," the additions from the Project would be treated as minor.) Likewise, the Town of Truckee cannot trivialize the Project's impacts on air quality. The DEIR needs supplemental data on the levels of criteria pollutants and concrete mitigation to reduce the significant impacts to some degree.

9 (2) Where appropriate, a DEIR should contain discussions of the economic and social impacts of the proposed project. CEQA Guidelines § 15131(a); see also Pub. Resources Code §§ 21100(c), 21151, 21080(e). A proposed project's incidental effects on public services and facilities, necessitates CEQA review where such effects are related to or caused by physical change. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the Project to physical changes caused in turn by the economic and social changes. The intermediate, economic and social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes. CEQA Guidelines § 15131(a). *Citizens for Sensible Development in Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151; 217 Cal.Rptr. 893. In that case the court held that the lead agency should consider physical deterioration of the Downtown area to the extent that potential is demonstrated to be an indirect effect of the proposed shopping center. Note that this requirement to consider such secondary and indirect environmental

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9 effects is mandatory. Here, the Town of Truckee should consider potential physical deterioration of the Downtown area resulting from the proposed build-out of commercial uses of the General Plan, identify the significance of the impacts and provide mitigation.

10 In addition, if a project's physical impact may cause economic and social consequences, the magnitude of the latter may be relevant in determining whether the physical impact is significant. Ultimately, the lead agency must consider economic, social and particularly housing factors together with technical and environmental factors in determining the feasibility of proposed mitigation measures to reduce or avoid significant effects identified in the EIR. For example, Land Use Policy 3.4 is evidently a mitigation measure to reduce impacts to services and infrastructure. However, there is no economic analysis as to how the sewer would be provided for all new residential subdivision creating more than four lots in all commercial uses. This comment also relates back to the lack of implementation measures in the General Plan. If this were a true implementation measure, it would identify the sources of funding or criteria for determining the sources of funding, and as a result, would demonstrate that the Town has considered economic factors in determining the feasibility of this proposed measure to reduce or avoid significant impacts.

11 (3) General Plan Circulation Policy 1.6 provides that the Town's roadway system should maintain a minimum Level of Service D (LOS D) at the PM peak hour on all roadways and intersections. LOS D is considered by MAPF to be a significant effect which has not been properly identified or mitigated. The DEIR thoroughly identifies existing LOS at 15 intersections, but does not provide similar comparisons under the Project conditions. Instead of clearly estimating future LOS at the intersections, the document enumerates a host of "circulation network alternatives" and "land use alternatives" most of which do not comport with the alternatives to the Project identified elsewhere in the DEIR. In addition to the confusion engendered, these alternatives fail to identify the significant impacts to traffic created by build-out of the General Plan.

#### C. Mitigation Proposed to Minimize Significant Effects

12 Public Resources Code section 21002 requires agencies to adopt feasible mitigation measures in order to substantially lessen or otherwise avoid significant adverse environmental impacts. CEQA Guidelines section 15370 defines mitigation as a measure which: (a) avoids the impact altogether by not taking a certain action; (b) minimizes the impact by limiting the degree or magnitude; (c) rectifies the impact by repairing, rehabilitating or restoring; (d) reduces or eliminates the impact over time by preservation and maintenance operations; and (e) compensates for the impact by replacing or providing substitute resources or environments. There must be substantial evidence to support the approving agency's conclusion that mitigation measures will be

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effective. *Laurel Heights Improvement Association of San Francisco v. Regents of the University of California* (1988) 47 Cal.3d 376, 407, 253 Cal.Rptr. 426.

The CEQA Guidelines seem to be more oriented toward site specific analysis, so it is difficult to determine exactly what level of specificity is necessary in a general plan EIR. But, when approving projects that are general in nature, such as this General Plan, agencies are still obligated to develop and approve whatever general mitigation measures are feasible to lessen or avoid the Project's significant impacts. The Town cannot defer the obligation to formulate and adopt general mitigation measures or performance criteria until a specific development project is proposed. *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 243 Cal.Rptr. 727, 731; *Christward Ministry v. Superior Court* (1986) 184 Cal.App.3d 180, 193-195, 228 Cal.Rptr. 868, 874-877. The deferral of environmental assessment until after project approval violates CEQA's policy that impacts must be identified before project momentum reduces or eliminates the agency's flexibility to subsequently change its course of action.

Ultimately, the absence of a sound analysis of impacts and mitigation measures prevents the Town from being able to make findings required under CEQA Guidelines section 15091. Section 15091 states:

(a) no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the Project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the DEIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, social or other considerations make infeasible mitigation measures or project alternatives identified in the DEIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

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(c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

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At the general plan stage, practicality prohibits devising precise mitigation measures early in the planning process. However, the Town can still commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of the Project approval. Where future action to carry a project forward is contingent on devising a means to satisfy such criteria, the Town should be able to rely on its prior commitment as evidence that significant impacts will in fact be mitigated. Thus, at some point, the DEIR should state that when projects come along in the future where the General Plan DEIR mitigation measures are not enough, the Town will then require project specific EIRs and mitigation measures. Examples of deficiencies in this area include, but are not limited to, the following:

The impacts and mitigation matrix provides that all policies under Conservation and Open Space Goal 11 will mitigate air quality impacts. However, these are true policies in that they provide no measures for implementation, and do not establish any performance criteria. For example, Policy 11.5 is actually more of an objective than a policy, implementation measure or mitigation measure. A real mitigation/implementation measure would be: "The Town shall install left-turn lanes at arterial intersections with peak hour levels of service worse than C. All new development causing traffic impacts shall be required to fund the improvements at a pro rata share." Instead, the eight "policies" which allegedly are intended to mitigate air quality impacts are nothing more than goals or objectives instead of mitigation or implementation measures.

#### D. DEFERRAL OF MITIGATION

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With narrow exception, determinations that impacts have been reduced to less than significant cannot be based on the presumed success of mitigation measures that have not been formulated at the time of project approval. *Kings County, supra*, and *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 248 Cal.Rptr. 352. In those cases, the courts disapproved of mitigation measures requiring post-approval formulation of specific plans. "The CEQA process demands that mitigation measures be timely set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena." (*Sundstrom, supra*.) Deficiencies set forth in the current document include, but are not limited to, the following:

The mitigation matrix provides that Land Use Policy 4.4 is capable of reducing to less than significant the potential non-contiguous development patterns and urban/suburban sprawl that could be accommodated by the General Plan. However,

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that Policy lacks any criteria for the standards that would preclude "strip" commercial development outside of freeway-oriented commercial areas. A mandate that the Town shall adopt a zoning ordinance restricting strip development in specific locations (by defining "freeway-oriented") would provide the criteria that is not provided in the current directive to "establish standards which preclude..." With the nebulous existing language, the Town cannot conclude that the impact would be mitigated to less than significant because it is deferring mitigation to the future.

#### E. CUMULATIVE IMPACTS

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Cumulative impacts are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." (Guidelines § 15355; see also Pub. Resources Code § 21083(b).) The individual effects may be changes resulting from a single project or a number of separate projects. (Guidelines § 15355(a).) A DEIR must discuss cumulative impacts whether they are deemed significant or not. (Guidelines § 15130(a).) Where deemed not significant, the document must explain the basis for that conclusion of non-significance. *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421, 432, 222 Cal.Rptr. 247, 253. In essence, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present, and reasonably foreseeable, probable future projects whose impacts might compound or interrelate with those of the Project at hand.

Section 15130 outlines the minimum requirements for an adequate discussion of cumulative impacts. They are as follows:

"1. Either:

- (A) A list of past, present and reasonably anticipated future projects including related or cumulative impacts, including those projects outside the control of the agency, [the "list method"] or
  - (B) A summary of projections contained in an adopted General Plan or related planning document which is designed to evaluate regional or area wide conditions. ["Summary of Projections Method"]...
2. A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and

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- 16 3. A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options from mitigation or avoiding any significant cumulative impacts for proposed project."

17 Unless cumulative impacts are analyzed, agencies will commit resources to a course of action before understanding the resulting long-term impacts. There is virtually no discussion of cumulative impacts in the DEIR. At page 3, there is a brief discussion of development which may occur south of the Town and east of the Town. The discussion concludes that "the General Plan should include policies which address the need to coordinate which these jurisdictions to address such uses." At page 7 there are exactly two sentences regarding the loss of mineral resources that could contribute to cumulative impacts on mineral resources and development in areas of visual resources which could contribute to cumulative effects on visual resources. Finally, there are exactly two sentences discussing cumulative impacts under "Noise" at page 10 of the DEIR.

This glossing over a statutorily mandated component of a DEIR renders the document legally deficient. Moreover, contrary to what the document says, the General Plan does not appear to include any policies which address cumulative impacts or mitigation measures to reduce cumulative impacts.

#### F. ALTERNATIVES

18 The CEQA requirement to set forth project alternatives was not satisfied in the Project's DEIR. The DEIR must describe a reasonable range of alternatives and must evaluate the comparative merits of each alternative. (Guidelines § 15126(d), Pub. Resources Code § 21100(d).)

Section 15126(d) of the Guidelines provides as follows:

"(d) Alternatives to the Proposed Action. Describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain the basic objectives of the Project, and evaluate the comparative merits of the alternatives.

- (1) If there is a specific proposed project or a preferred alternative, explain why the other alternatives were rejected in favor of the proposal if they were considered in developing the proposal.
- (2) The specific alternative of "no project" shall also be evaluated along with the impact. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

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- 18
- (3) The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.
  - (4) If an alternative would cause one or more significant effects in addition to those that would be caused by the Project as proposed, the significant effects of the alternative shall be discussed but in less detail than the significant effects of the Project as proposed."

19 The DEIR lists the standard range of alternatives frequently used in General Plan EIRs. Nevertheless, the traffic and circulation discussions interpose a combination of additional land use and circulation network alternatives thereby creating confusion as to which alternatives are actually being considered. It is therefore impossible to ascertain which alternatives are actually being considered by the lead agency.

20 As to the alternatives listed, their comparative merits are not evaluated. For example, the discussion should have characterized the nature of the impacts under all relevant categories: i.e., biotic resources, traffic, public services, air quality, etc., and evaluated the comparative increases or decreases in impacts when compared to the Project in the other alternatives. Such an analysis is lacking. Although the discussion of alternatives need not be exhaustive, the key issue is whether the selection and the discussion of alternatives fosters informed decision-making and informed public participation. As it stands, the public cannot determine which project alternatives are being considered. Moreover, the absence of any discussion of their environmental impacts and the comparative merits of each, make it impossible to prepare findings to provide the requisite rejection of the alternatives as infeasible, with supporting evidence. Further, once the other sections of the DEIR have been amended to identify significant impacts as discussed herein, the discussion of alternatives will also have to be amended.

#### 21 G. GROWTH INDUCING IMPACTS

The DEIR must discuss the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing either directly or indirectly in the surrounding environment. The analysis must discuss project characteristics that may encourage and facilitate activities that either individually or cumulatively will affect the environment. (Guidelines § 15126(g), and Pub. Resources Code § 21200(g).) The Project DEIR is deficient in its analysis of growth inducing impacts.

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21

Pages 4 and 5 of the DEIR discusses growth inducing impacts but does not clarify how the General Plan could foster economic or population growth as is required by CEQA. Also the analysis does not substantively cover those project characteristics that will encourage and facilitate activities that either individually or cumulatively will adversely effect the environment.

22

There is also no coverage of how population increases may impose new burdens on existing community services and facilities. As stated earlier, the General Plan fails to estimate population increases. Finally, there is no identification of growth inducing impacts as either significant or less than significant, nor have any mitigation measures for the impacts been identified.

23

#### H. CONCLUSION

Based on the foregoing analysis and for the additional reasons submitted in other comments prepared and included within the administrative record, we request that the DEIR and General Plan be modified consistent with the comments provided herein. Further, the MAPF remains committed to working with the Town to assist in the completion of these or other recommended modifications.

Very truly yours,



Diane G. Kindermann

DGK:yb

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**WILLIAM ABBOTT  
& ASSOCIATES**

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ATTORNEYS AT LAW

*William W. Abbott*

*Letter 5*

*Diane G. Kindermann*

October 10, 1995

**VIA FACSIMILE**

Brita Tryggvi, Chairperson  
Planning Commission  
Town of Truckee  
11570 Donner Pass Road  
Truckee, CA 96161

Re: Public Review Draft General Plan and Environmental Impact Report, Volumes I and II - Town of Truckee

Dear Planning Commission:

On behalf of the Mountain Area Preservation Foundation ("MAPF"), I am submitting the following comments on the Draft General Plan ("General Plan") and Environmental Impact Report ("EIR") for the Town of Truckee, to supplement and be read in conjunction with the October 4, 1995 letter from the MAPF.

**Land Use Policy 5.2:**

The first comment references Land Use Policy 5.2 insofar as it creates an "exception" to a given size requirement for single retail commercial use buildings. The MAPF is opposed to any exception to the maximum size limit for a single retail commercial use of 35,000 square feet. Larger sized retail uses would be inconsistent with such Vision Statements as enhancing Truckee's small town flavor, ensuring development that is pedestrian-oriented, and safeguarding the natural environment.

If such exception will not be deleted, in the alternative, the policy should be rewritten to enunciate performance criteria and include corresponding implementation measures. Although a specific plan can be an appropriate tool to direct all facets of future development, the Draft General Plan provides no performance criteria for the specific plan. For example, in addition to the statutory requirements, the specific plan should address economic impacts, (including a market analysis), community design, architectural and landscaping standards.

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1      The Governor's Office of Planning and Research encourages local jurisdictions to adopt local specific plan guidelines. Assuming that the Town of Truckee does not have any such guidelines in place, the need for criteria is magnified.

2      Lastly, there is no foundation for evolution of a specific plan since a specific plan is intended to implement the goals, objectives and policies of a general plan, and the General Plan is deficient in these areas.

**Land Use Policy 3.5:**

3      Second, Land Use Policy 3.5 forbids discretionary development resulting in a net increase in traffic south of the Truckee River until such time as the Highway 267 Bypass is constructed. The MAPF believes that discretionary development north of the Truckee River should be prohibited as well. As discussed in the comment letter dated October 4, 1995, implementation measures are needed to ensure that these objectives are fulfilled.

**Circulation Element:**

4      The MAPF also notes that there are no goals, objectives, policies or implementation measures in the Circulation Element addressing the proposed Highway 267 Bypass.

**Corrections:**

5      The final comments are corrections to the October 4, 1995 letter. Specifically, at page 5, Comment (4) pertaining to Conservation and Open Space Policy 5.2, both roadway references should be: "Interstate 80/Highway 89 north." Another correction is at page 22, paragraph 1: the word "effect" in the last sentence should be "affect."

**Conclusion:**

5      Based on the foregoing, we request that the DEIR and General Plan be modified consistent with the comments herein. The MAPF remains committed to working with the Town to assist in the finalizing of the EIR and General Plan.

Very truly yours,



Diane G. Kindermann

DGK:yb

cc:    Joshua Susman  
      Mountain Area Preservation Foundation

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**WILLIAM ABBOTT  
& ASSOCIATES**  
ATTORNEYS AT LAW

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*William W. Abbott*

Letter H

*Diane G. Kindermann*

October 12, 1995

**VIA FACSIMILE**

Brita Tryggvi, Chairperson  
Planning Commission  
Town of Truckee  
11570 Donner Pass Road  
Truckee, CA 96161

Re: Public Review Draft General Plan and Environmental Impact Report,  
Volumes I and II - Town of Truckee

Dear Planning Commissioners:

These comments are being submitted on behalf of the Mountain Area Preservation Foundation ("MAPF"). These comments are based on all of the documents comprising the Public Review Draft General Plan ("General Plan") Volume I, and Environmental Impact Report and Technical Appendix Volume II ("DEIR" collectively called "Project") prepared for the Town of Truckee (hereinafter "Town" or "Truckee"). This comment letter also repeats and incorporates by reference all other comments presented in conjunction with the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et seq., review relating to the Project.

It is MAPF's understanding that new information not formerly available to the Town and the general public was presented by the Hopkins Family Trust ("Proponent") to the Planning Commission at the October 11, 1995, continued hearing on the Draft General Plan and DEIR. Proposed changes to the General Plan were submitted by the Proponent of PC-2, a mixed use project on 750 acres at the intersection of Highway 89, north of Interstate 80.

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It is our understanding that the Proponent desires increases in square footage for the Regional/Local Commercial and Office component and the Commercial Recreational designation for the PC-2 project. The MAPF objects to these requested increases. The proposed square footage deviates by nearly 50% from the build-out assumptions on which the General Plan and supporting the EIR were based.

1

Amendments to both documents would be required if the Town approves the proposed increases. Moreover, recirculation of the EIR would be necessary pursuant to Public Resources Code section 21092.1, which requires recirculation where, subsequent to public review and interagency consultation, but prior to final certification, the lead agency adds "significant new information" to the EIR. Absent the Town's acceptance of the increases recommended for the PC-2 project, recirculation may still be necessary in light of the changes requested by the MAPF and other members of the public.

The MAPF will be submitting detailed objections to both the Planning Commission and the Town Council when it receives complete information on the Proponent's specific proposals. Thank you for your consideration of this general comment letter.

Very truly yours,



Diane G. Kindermann

DGK:yb

cc: Josh Susman (*via facsimile*)

# Letter I

To: Truckee Town Planning Commission  
Fr: Bob Johnston ph 582-0700  
Re: Comments on the DEIR within the Staff Draft General Plan  
(Aug. 29, 1995)  
October 9, 1995

Please excuse my late response. I just moved my office and it was difficult to reassemble all the papers and files.

I have read the Plan and DEIR, Appendix, and Fiscal Analysis. I attended most of the staff briefing meeting in September. I cannot make any of the Commission meetings in early October. I may make additional comments, as I find out more about the Plan.

In general the DEIR is very minimal and will not survive legal challenge. Background information is clearly not adequate for the reader to independently evaluate impacts. The mitigation measures are often missing (air quality, traffic) and are often not quantified or are deferred to the future without quantified standards. The assertion that impacts have been reduced to less than significant is not documented.

1. Wildlife impacts. There seems to be no growth phasing, that is all owners can come in and apply after adoption. Residential is overallocated about 30%, to permit choice of lots, etc. This is too much, as only about 10 years' worth of land is needed, at any one time, to prevent land price rises. Putting it another way, we have 80% overdesignation for the first 10-year period. I suggest no lot splits or subdivisions on the edge for about 10 years as a mitigation measure. Reason 1: when the citizens freak out over traffic in a few years, we will have some growth to pull back with and not sprawl. Otherwise, a slow-growth initiative will have to phase building permits in the sprawled subdivisions, an undesirable choice. Reason 2: We cannot meaningfully argue with the County to not permit projects beyond our limits, if we are not phasing growth. Make the phasing a mitigation measure for wildlife and fiscal impacts, to lock it in.

2. Buildings of historic significance. There seems to be no phasing of commercial development. This is a serious omission in that Hopkins will go first and the Mill Site will be dead for at least 10 years, due to proximity. I suggest holding Hopkins until some percentage of the downtown commercial growth occurs. This mitigation measure will help maintain the historic buildings on Commercial Row in profitable uses.

3. Wildlife impacts. Make it clear that RC/OS is permanent, not a holding zone.

4. Wildlife and other impacts. In RC/OS, RC-5, RC-10, and OSR, require field studies of physical and biological environmental constraints before subdivision design begins.

6      5. The Plan shows aircraft noise over the Mill Site in the future. Can the airport reroute flight paths as a mitigation measure?

7      6. The traffic modeling may understate local street loadings due to traffic from Tahoe and Martis. Assuming constant diversion rates to local (Truckee) destinations may not be realistic, because as Truckee grows a higher portion of through travelers may stop in Town for something. Also, the assumption of a constant residential vacancy rate may also understate local trip generation, as many second-home communities evolve toward a higher percentage of first homes. I would investigate these assumptions and perhaps add a risk factor to these local street loadings.

8      7. In Circulation Policy 4.1, traffic flow improvements and flextime are not transportation control measures. Both of these policies add to total travel and emissions. It is doubtful that they even improve LOS, in the long term. Delete them.

9      8. There does not appear to be an air quality mitigation program for residential stoves and for local auto traffic. I would require fees for new residential units and use the funds for voluntary stove upgrades and buyouts in existing units. In addition, the Town should tighten its new construction standard for stoves to roughly the Washoe Co. one of 1.0 gm/hr. HC, which allows a few types of pellet stoves and many gas log heaters. Third, the resale retrofit ordinance should be committed to. All three of these measures must be included in the Plan and EIR.

For traffic, I would levy a new construction fee in proportion to vehicle-miles per day projected for each type and location of residential and commercial/industrial unit. These funds could be used for street sweeping and transit programs. This fee could be replaced by a local fuel tax of equal or greater amount per year, if we can get such a bill written and approved. The Bay Area has such a bill in this year. All of these policies seem feasible as mitigation measures and are, therefore, required to be adopted.

10     9. There appears to be a full concurrency services requirement for all new developments. I would make this policy more explicit and apply it to nonresidential, as well as residential, developments. Mitigation measure 2.1 needs to be elaborated and made quantifiable (LOS D). The level of service standard should apply to intersections, as well as roadways. I would also limit intersection lane totals, not just roadway travel lane totals. Otherwise, we will get lots of cheating with extended turn lanes and pockets that become center turn lanes and new curb lanes. Small town character can be ruined by turn lanes at intersections and by traffic lights. The plan seems to allow 32-lane intersections (with left turn pockets and right turn lanes).

letter J

Oct 17, 1995

RECEIVED

To Truckee Town Council,

OCT 19 1995

TOWN OF TRUCKEE  
COMMUNITY DEVELOPMENT DEPT.

As a Truckee resident I have a few comments on the Draft EIR for the General Plan.

1      PC 2 - I concur with most speakers at the Oct 10<sup>th</sup> Planning Commission meeting who stated that PC 2 is zoned for too much commercial. This area is rural, and if development is to be considered there, it needs to be significantly downsized. This is also a gateway to Truckee and should be treated similarly to Airport Flats.

2      OPEN SPACE - There is no "true" open space in the plan. If it is correct that all of the current open space designations can be opened to development later - it is fair to assume that it will be. Subsequently - no open space. Please correct this.

3      Traffic - It is my understanding that there are no mitigation measures for negative traffic impacts from proposed development. How can this be? Traffic problems have lately been a major concern and issue in this town. It seems only fair that a developer would be required to provide mitigating measures if they are contributing to the problem. We need to all contribute to the solution.

4  
Air Quality - This is another issue that does not have adequate mitigation measures. This is hard to understand for a town that survives on tourism. It also directly conflicts with the vision statement pertaining to quality of life. Please "beef up" these mitigation measures.

5  
Hwy 267 Bypass - I know this isn't directly addressed in the EIR, but I want to be counted as one more person who believes that this is not the solution we're looking for. Besides being a visual atrocity, it was stated in the 1990 Caltrans proposal that it would be in "failure" mode in 5 to 7 yrs. after construction. Can we use similar funding for mass transit, a circle intersection (roundabout) downtown, other solutions?

My plea to you is to keep the original vision statement in mind when scrutinizing this document. I commend you for your unending hours and commitment.

Thank you,

Maryellen Benier

Box 2320

Tuolumne CA 95377

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